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PRELIMINARY ECONOMIC STUDIES OF THE WAR

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No. 13

GOVERNMENT CONTROL OF THE LIQUOR BUSINESS IN GREAT BRITAIN AND THE UNITED STATES

BY

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EDITOR'S PREFACE

This study on the "Government Control of the Liquor Traffic" was begun by Dr. Carver with the expectation that the history of the experience of Great Britain would be useful to our own people during the war. But events have moved so rapidly that this purpose has been defeated.

The original motive for control of the liquor traffic as a war measure was the conservation of food materials. The prohibition movement had made great strides in this country for other reasons than conservation of food, but the movement was greatly accelerated by this later need. Moreover, the restriction on the consumption of liquor abroad had shown such good results in improved health, morale and economic conditions that the argument for prohibition was strengthened. It is not altogether unlikely that the adoption of our own constitutional amendment on this matter would have been more difficult, or, at any rate, longer delayed, but for the patriotic feeling that conservation was necessary.

It is of little practical advantage to discuss the causes of a movement and its underlying philosophy, after the event. However, it has been made very clear, by the experience of every country in the war, that the manufacture of malt and spirituous liquors has been a heavy drain on the national strength, not only by the divergence of food materials to this manufacture but by the demoralization of large numbers of men and women. The hastening of whatever good one believes to inhere in the prohibition of the consumption of these liquors is, therefore, to be regarded by those who hold that view as an incidental benefit of the war.

Some thoughtful students of public affairs have doubts of the political wisdom of the method adopted by our own people to stop the manufacture and consumption of liquor. A constitutional amendment which is in its character virtually a piece of special legislation is a somewhat dangerous method, politically, in a democratic republic. The Constitution is a declaration of fundamental principles on the basis of which laws rest. The prohibitory amendment is not a declaration of principle, but rather itself a legislative enactment. It is not a sufficient reply to say that the purpose and result of the amendment are both good, for the point is that if the process of amending the Constitution can be utilized to enact a law that is regarded as generally good, it can be utilized also for purposes that are sinister; and if those purposes are accomplished their evil influence will be prolonged because of the slowness of the process of amending the Constitution. But the mass of men pay little attention to political principles involved in a movement whose purposes they are determined to attain. In other words, we seldom think about, and still more seldom perceive, the unintended consequences involved in particular legislation. In this case, such experience as the world has had goes very clearly to show that human efficiency is increased by the curtailment of liquor consumption and that the wiping out of the evils of liquor traffic means a tremendous social improvement in many directions. As to the political consequences of our own method of securing this gain only experience can satisfy us.

Needless to say, Professor Carver has handled this subject with his usual skill and lucidity.

DAVID KINLEY,
Editor.

Urbana, Illinois,
April 30, 1919.

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**GOVERNMENT CONTROL OF THE LIQUOR
BUSINESS IN GREAT BRITAIN AND
THE UNITED STATES**

INTRODUCTION

"Make hay *before* the sun shines" seems to be the motto of all war time profiteers, whether in the field of business, of politics, of literature or of social reform. Decent reformers, however, by a tacit understanding, all declared a truce when the war came on. They felt that, however meritorious their reforms might be, it would be criminal in war time to dissipate their own energy, or distract that of other people, from the great task of winning the war. They saw that this would be the result of agitating any controverted questions which did not contribute directly to military victory.

Temperance reform, however, is unique among reforms in at least two respects. In the first place, its active promoters have nothing to gain from its success. In the second place, it has a very direct bearing on the conservation of man power and of food, and on the chances of military victory.

The latter is by far the most important factor in the increase of public interest in the drink question in war time. Even though temperance reformers have nothing to gain from the success of their reform, and could not be called political or social profiteers, nevertheless temperance reform is a controverted question and its continued agitation in war time would dissipate energy which is vitally needed for the prosecution of the war. But it did not require a temperance reformer to see that drunkenness on a large scale in war time, especially among munition workers, train men and sailors, to say nothing of soldiers and officers, constituted a real menace. As a matter of fact, it was not the chronic temperance reformer who did most to arouse public sentiment in all the warring countries

to the dangers of the drink evil in war time. The military and naval authorities who were in positions of terrific responsibility, in whose keeping rested the lives of millions of people, would have been stupid indeed if they had not seen the danger and warned their people against it. Rulers and law makers who stood as the spokesmen of masses of people would have been dumb mouthpieces indeed if they had not voiced the general alarm over the danger of drunkenness on the part of men upon whom the armies and the people depended for accurate and efficient work.

Whatever may have been said in extenuation of drunkenness in times of peace, there could be no reasonable doubt that in time of war it was a source of grave danger. Overstimulation undoubtedly tends temporarily to destroy reliability, and reliability in a time of crisis is of the utmost importance. In the armies it is absolutely essential that officers should be able to rely upon their men and the men upon their officers and upon one another. But if an officer is drunk or liable to be drunk, men can not rely upon him or have confidence in him. Neither can men rely upon their comrades who are liable to be drunk.

But this dependableness is essential not only among the fighting men, but throughout the whole nation. The soldiers must be able to rely upon the munition makers and the munition makers upon one another. One drunk man in a munition plant might endanger the lives of thousands of workers, besides leaving the soldiers inadequately supplied. And so on, throughout the whole nation in war time, we are in a state of dependence upon one another, but there can be no dependence where there is no dependableness or reliability. Without dependableness or reliability, our whole military system crumbles into a mass of individuals without coherence, organization, or team work.

Even in time of peace, in our interlocking civilization, there is no vice worse than drunkenness. Whatever may have been true in a simple, unorganized rural life, it is now true that we are very much dependent upon one another. The interdependence of parts is a characteristic of every highly civilized society

as it is of every highly developed organism and of every highly efficient machine. But there can be no interdependence of parts, and hence no high civilization, where there is no dependableness. Nothing so quickly or so effectively destroys dependableness as overstimulation.

It was the question of drunkenness rather than the question of drink *per se* which first aroused public interest in drink control as a war measure. In the early stages of the war, public efforts were directed primarily toward the control of drunkenness rather than toward the elimination of drink; but the two questions could not be kept separate. Some control of drink seemed absolutely necessary to any control whatever over drunkenness. Something might be said, of course, on academic grounds, in favor of dealing so severely with every case of drunkenness as either to reform or to exterminate all drunkards. By this method the question of drunkenness could be kept apart from the question of drink. But no civilized country could be induced to deal so harshly and implacably with drunkenness as that, even in time of peace, much less in time of war, when every ounce of man power is needed. The only other possibility seems to be to reduce the temptations and the opportunities for excessive drinking. This requires some control of the drink trade, and this mixes the two questions. There does not seem to be any other practicable way of eliminating the menace of drunkenness. Certainly there was no other way which would bring results quickly enough to meet the exigencies of a life and death struggle.

Even the argument that the freedom to drink, together with the implacable punishment of drunkenness, may, when combined, do the beneficent work of the fool killer loses much of its force in war time. The fool killer does its work slowly and can only rid the country of fools after several generations of continued operation. A great war, however, presents a crisis in the immediate present which will not wait. Drunkenness must be stopped promptly and not by the slow process of natural selection; otherwise the country may suffer an irreparable disaster. This neces-

sarily means a policy of preventing men from getting drunk rather than a policy of reforming or exterminating drunkards. Stoppage at the source necessitates dealing with the question of drink and the question of drunkenness as parts of the same policy.

That drunkenness is one of the worst and most dangerous, if not the worst and most dangerous, of all vices, may be disputed by sentimental moralists, but it is not likely to be disputed by any one who is in the habit of thinking about such things in concrete terms. If such a person were given his choice between serving as a soldier under an officer who was addicted to drunkenness and under one who was addicted to any other vice, he would probably not choose to serve under the drunkard. It would be a gruesome story, if it could be written, which would reveal how many blunders, like that which sent the Light Brigade into the Valley of Death, were caused by the excessive use of alcohol on the part of some officer. If one who professes to believe that there are worse vices than drunkenness were given his choice between traveling on a ship in the submarine zone under a captain who was in the habit of excessive drinking and under a captain who was guilty of any other vice whatsoever, he would probably not choose the heavy drinking captain. But every member of the crew of a ship in the submarine zone is also in a position of great responsibility, and a vice which destroys his dependableness is more dangerous than any other vice.

Even in civil life and in times of peace, in our interlocking civilization, we should make similar choices if faced with similar alternatives. If given our choice between having abroad in the community locomotive engineers, drug clerks, chauffeurs, physicians, or even bank cashiers who were addicted to drunkenness, and having men in similarly responsible positions who were addicted to any other vice, we should probably, with considerable unanimity, decide against having drunkards in these positions. In war time, especially, drunkenness is intolerable in any one. The general appreciation of this fact has stirred all

the warring countries to special efforts for the repression of drunkenness.

In several of the warring countries the food situation became acute either at the beginning of the war or soon after. In these cases the question of food conservation rivaled in importance that of the conservation of human energy. Accordingly, some restrictions upon the use of food materials in the manufacture of potable alcohol became necessary. In most cases, however, the two motives were mixed. It is not always easy to tell whether the desire to conserve food materials through the restriction of brewing and distilling was the dominant motive. Austria-Hungary in the first year of the war limited the hours of sale on ordinary days from 9 A.M. to 5 P.M. and on Sundays and holidays shops in which liquors were sold were closed.¹

In Germany various restrictions and prohibitions were placed upon the sale of spirituous liquors to soldiers in special localities. The following is a sample:

Reichsanzeiger No. 39. February 16, 1915.²

The General commanding in the Marks has issued the following notice:

The numerous warnings and notices issued by the authorities and the press not having had the necessary results, I hereby ordain by virtue of paragraph 9b of the law concerning a state of siege dated June 4, 1851, for the district and the town of Berlin and the province of Brandenburg:

It is forbidden for keepers of licensed houses to serve alcohol in the form of spirits, liqueurs, rum, arrak, cognac or drinks prepared from them to soldiers of all ranks in uniform, either in person or through the medium of others.

This ordinance shall enter into force on Friday, February 19, 1915.

Contraventions will be punishable by a term of imprisonment not exceeding one year or by the closure of the establishment.

The Commander in Chief of the Marken,
VON KESSEL.

On March 26, 1915, the Federal Council empowered the local authorities to restrict or prohibit the sale of spirits.

¹ See *Intoxicating Liquors (Restrictions in Foreign Countries during the War)*. Correspondence Relative to the Measures Taken in Certain Foreign Countries for the Restrictions of the Sale of Intoxicating Liquors Since the Outbreak of the War. London, 1915. Page 3.

² *Ibid.*, page 5.

NOTIFICATION IN REGARD TO THE SUPPLY AND SALE OF SPIRITS AND ALCOHOL (SPIRITUS) OF MARCH 26, 1915¹

In view of Section 3 of the law of 4th August, 1914, empowering the Federal Council to adopt economic measures, the Federal Council have issued the following decree:

1.

The Provincial Authorities (Landeszentralbehörde) or the authorities indicated by them may prohibit, either wholly or partially, or restrict, the supply and sale of spirits or alcohol ("spiritus"); they may also issue regulations in regard to the size and nature of casks and bottles used for such supply and sale, and fix minimum prices.

2.

Places used exclusively for the supply and sale of spirits and alcohol ("spiritus") must be kept shut during the periods within which supply and sale is prohibited under Section 1. Places which are principally used for such supply and sale may be closed by order of the police authorities during the prohibited period.

3.

Any person acting in contravention of the provision contained in Section 2, sentence 1, or of regulations enacted in virtue of Section 1, sentence 2, will be punished with imprisonment not exceeding one year or with a fine not exceeding 10,000 marks.

4.

Should owners or managers of places for such supply and sale prove unreliable in the performance of the duties imposed upon them by this decree and the regulations issued in connection therewith, the police authorities may close the business and seize the stocks.

5.

Appeal may be made against orders issued by the Police Authorities (Sections 2 and 4), but such appeal has no suspensory action. The supervising authorities decide on the appeal.

6.

The provincial authorities decide as to who are to be regarded as police authorities in the sense of this decree.

7.

This decree comes into force on the day of its promulgation. The Imperial Chancellor decides when it shall cease to have effect.

The Representative of the Imperial Chancellor,

Berlin, 26th March, 1915.

DELBRUCK.

¹ *Intoxicating Liquors (Restrictions, etc.)* cited above, page 6.

On March 31 the Federal Council placed very drastic restrictions upon the production of spirituous liquors, forbidding any one to produce brandy who was not in the business during the financial year 1913-14, and even the latter were forbidden to put on the market in any month more than 2 per cent of the quantity for which they paid duty during the year 1913-14.

NOTIFICATION RELATIVE TO THE RESTRICTION OF THE
PRODUCTION OF BRANDY

March 31, 1915.¹

By virtue of Section 3 of the law of August 4, 1914, as to the authority of the Federal Council to adopt economic measures (*Imperial Law Gazette*, page 327), the Council has issued the following decree:

1.

From April 2, 1915, until further notice, no raw brandy may be put on the market after payment of the consumption of spirits duty.

2.

The Imperial Chancellor is empowered to grant anew, from May 1, 1915, permission to place raw brandy on the market on payment of the consumption of spirits duty.

In that case only those persons may put raw brandy on the market who were engaged in that trade in the financial year 1913-14 and, according to the Imperial Chancellor's decision, this may be done each month up to 2 per cent of the quantity for which they paid duty in the financial year 1913-14.

3.

The brandy which has been placed in store and there diluted with water subsequently to April 1, 1915, or purified by filtration through charcoal (Brandy Stores Ordinance, Section 19) is assimilated to raw brandy of Sections 1 and 2.

Reception of goods in a store in accordance with the provisions of Section 36 of the Brandy Stores Ordinance is made equivalent to placing them on the market after payment of the duties on the consumption of spirits (Sections 1 and 2).

4.

The Imperial Chancellor issues the regulations with regard to the execution of the law. He may authorize exceptions.

5.

Anyone who wilfully violates the prescriptions of Sections 1, 2, Par. 2, and of Section 3, is punished with imprisonment up to six months or by a

¹ *Intoxicating Liquors*, page 7.

10 GOVERNMENT CONTROL OF THE LIQUOR BUSINESS

fine up to fifteen thousand marks (Mks. 15,000). Anyone who does so through negligence is punished by a fine up to three thousand marks (Mks. 3,000.)

Anyone acting in contravention of the regulations with regard to the execution of the law that are issued by the Imperial Chancellor is punished by a fine up to one hundred and fifty marks (Mks. 150) or by arrest.

6.

This decree does not apply to brandy which is produced in distilleries of the privileged class or to brandy made in other distilleries from the substances named in Section 12 of the law relating to the duty on brandy of July 15, 1909. (*Imperial Law Gazette*, p. 661.)

7.

Section 5 of the ordinance comes into force on April 6, 1916; the remainder comes into force on the day of publication. The Imperial Chancellor decides the date on which it ceases to be in force.

The Imperial Chancellor's Deputy,

Berlin, March 31, 1915.

DELRUCK.

The above law was supplemented on April 16 by a decree specifying the persons to whom, and the purposes for which, spirits could be sold.

REGULATIONS FOR PUTTING INTO EFFECT THE PROCLAMATION OF THE 31ST MARCH, 1915, RESPECTING THE RESTRICTION OF THE PRODUCTION OF SPIRITUOUS LIQUORS¹

In pursuance of Section 4 of the proclamation of the 31st March, 1915, respecting the restriction of the production of spirituous liquors I prescribe:

1. Spirits in the state in which they leave the distillery or refinery are to be regarded as raw spirits.

2. (1) In April, 1915, raw spirits may be supplied on payment of the excise duty or on production of Certificate II, if the spirits are intended for use in—

- (a) Hospitals, maternity homes and similar institutions for curative purposes.
- (b) Research laboratories.
- (c) Factories for the preparation of medicaments.
- (d) Dispensaries for use in chemists' businesses.
- (e) Scent and cosmetic factories.
- (f) Essence factories for the preparation of extracts from vegetables, etc., for teetotal beverages.

¹ *Reichs-Gesetzblatt*, page 208.

- (2) It is prohibited to use spirits released for taxation in pursuance of Paragraph 1 for other than the purposes stated, and in particular to supply in a raw state or to prepare alcoholic beverages and spirits. Chemists may, however, supply raw spirits to the institutions, laboratories and factories enumerated under (a) to (c) in Paragraph 1, and also in small quantities to doctors, dentists, veterinary surgeons, and midwives, or on the written instructions of doctors, dentists, and veterinary surgeons.
3. (1) In the cases mentioned in Section 2 the person in charge of the establishment for which the alcohol is intended [Section 2, Paragraph 1 (a) to (f)] has to notify the inland revenue authorities concerned, and state:
- (a) The quantity on which it is desired to pay duty.
 - (b) The purpose for which the spirits are to be used.
 - (c) That the consumer is aware that the use of the spirits for purposes other than those stated under (b) is prohibited.
 - (d) Give an exact description of the establishment where the spirits are to be used (name or firm, name of the person in charge, place, street, and number of the house).
 - (e) Furnish the signature of the manager, corroboration of which by the local police authorities may be demanded by revenue officials.
- (2) Scent and cosmetic factories may not pay duty in April, 1915, on more than one-twelfth of the quantity on which duty was paid in the year 1913-14.
- (3) The establishments specified under (f) in Section 2, Paragraph 1, may only pay duty on the amount of their monthly requirements. They must send in their application in duplicate, and one copy will be immediately sent by the revenue authorities after payment of the duty to the revenue authorities in the district in which the establishment is situated. These establishments are bound to record, in a special book, the purchase of alcohol for this purpose, the use made of the alcohol, the production and sale of essences for teetotal beverages. They are further bound to show the book at any time to the proper revenue or police authorities and to admit them to their premises.
4. For May, 1915, and the following months, duty may be paid on raw spirits for the purposes specified under (a) to (f) in Paragraph 1 of Section 2, to the extent and under the conditions prescribed, without deduction of the quantities on which duty may be paid in accordance with Section 2 of the proclamation respecting the restriction of the production of spirits; duty may only be paid by factories for the preparation of essences for teetotal beverages [Section 2, Paragraph 1, (f)] if the authorities in the district in which the factory is situated consider that adequate control over the use of the alcohol exists.

For the Imperial Chancellor,

Berlin, the 15th April, 1915.

KAUTZ.

In Russia, immediately following the order for the mobilization of the land and sea forces of the Empire, all wine, beer and vodka shops were closed and the sale of all intoxicants was forbidden except in first class restaurants and hotels, by order of the Grand Duke Nicholas, commander in chief of the army.¹ This order was to continue until the completion of mobilization, but subsequent orders continued its operation. On August 25, 1914, the Council of Ministers decided to continue the prohibition of the sale of beer and porter until October 1. On August 27 the Admiralty Council abolished the custom of treating sailors to a cup of vodka on various occasions.

Vodka, however, presented the most serious problem. It is not only atrociously strong, and therefore productive of drunkenness, but it had been a government monopoly. This monopoly was originally established as a measure of control in order to curtail excessive consumption, but it had become a source of considerable revenue to the government. From the point of view of a finance minister who saw no further than the next ruble of revenue, the financial motive for the continuation of the sale of vodka was very strong. However, it did not take a great deal of intelligence to see that it was a penny-wise and pound-foolish policy for the government to derive money from a source which depleted the source of all wealth by destroying the productive power of the people. Accordingly, on September 3/16, 1914, the Council of Ministers announced that His Imperial Majesty had decided to prohibit the sale of spirits and vodka until the end of the war. About the first of October, in response to numerous appeals, it was decided to prohibit forever the sale of spirituous liquors.

These rules, of course, did not apply to malt liquor and wines. In October the Council of Ministers empowered local governing bodies to petition for a complete prohibition of the sale of all alcoholic beverages within the limits of their jurisdiction.² When such a petition is presented the local excise officials and the rep-

¹ *Intoxicating Liquors (Restrictions, etc.)* cited above, page 13.

² *Ibid.*, page 14.

representatives of the central government must, within three months, stop the sale of all intoxicants in the district in question. This privilege was made use of by many local governments. Petrograd restricted the sale of beer and wine to 49 first class hotels and restaurants, and even in these places only permitted these liquors to be served with meals. On December 22 the City Council of Moscow adopted complete prohibition of all intoxicants.

That all these measures for the restriction or suppression of the sale of intoxicants produced a profound effect there is no room for doubt. Naturally there was some difficulty in the complete enforcement of the rules. Moonshining increased for a time, especially in the form of the redistillation of denatured alcohol and of commercial mixtures, such as shellac, containing otherwise potable alcohol. But as to the effect on the sum total of drunkenness, no reputable witness has ever denied or questioned that there was a noticeable diminution. Reliable statistics, however, which alone would enable us to measure the extent to which drunkenness was diminished, are unfortunately not available.

To what extent the Russian debacle has been due to the absence of her accustomed stimulant it is impossible to say. Doubtless the apostles of Bolshevism would contend that it was only after the proletarians had grown sober that they could be brought to join the revolution; that so long as they were kept drunk they could not be reached by the appeals of the revolutionists. On the other hand, it is an open question as to how far the excesses of the Bolshevik régime are due to the resentment of the besotted masses against restrictions that kept them unwillingly sober. According to all reports, the revolution was accompanied, not by sobriety, but by orgies of drunkenness. The desire to remain sober could scarcely have been one of the dominating motives driving them to the general demoralization of the Lenine-Trotsky surrender to German influence. It looks, on the surface, as though the desire to get drunk was a more potent motive. Some weight is also given to the opinion, frequently expressed in recent years, that drunkenness is only in part the product of alcohol;

that it is in part the product of nervous instability, and that unstable natures will run to excesses in one way if not in another; and that, if deprived of the opportunity for alcoholic excesses, they will break out in other ways and resort to worse excesses, such as Bolshevism. On this phase of the question much more evidence is needed, and a more prolonged study is required than can now be given to it.

PART I—GREAT BRITAIN

CHAPTER I

The Drink Situation at the Beginning of the War

The experience of the United Kingdom with respect to liquor control in war time is of peculiar interest to Americans. That experience is of more practical importance to us than that of any other country. Not only our language, but also our literature, as well as our laws, our political ideals and institutions, and our moral and social habits are all derived from the same source as theirs. For these reasons, our moral, social and political reactions are likely to resemble theirs and theirs to resemble ours, more closely than those of nations speaking different languages and having different moral, social and political traditions. The developments of popular opinion and the actions taken by the government are likely to follow the same rule.

They were at war nearly three years before we entered it, and the problems of war economy became acute with them long before they did with us. Therefore we are in a position to learn from their experience rather than in a position to teach them by ours. It is therefore of the greatest importance that we study their experience.

They had reason to feel from the very first, as we have not begun to feel even yet, that the enemy was at their gates and that they were fighting for their very national existence. They would have been a very unusual people, when facing such a crisis, if they had not taken account of their resources in man power and materials, and eliminated everything that in any way depleted those resources. If, in facing what might have been their last fight, they had not taken active measures to conserve every resource which might aid in the winning of the war, and to prevent every form of waste which might decrease their fighting power, they would not have shown that capacity for self-discipline upon

which, alone, the salvation of democracy depends. The world has always been ruled by disciplined nations. Undiscipline has always given way before discipline with the regularity of a law of nature. But self-discipline is the only kind of discipline possible to a free people under a liberal government. Unless, therefore, free peoples will discipline themselves and do voluntarily everything which is necessary to make them strong, they can not hope to retain their freedom. They must expect either to be exterminated or to be disciplined from above by a despotic government.

No one could seriously consider the question of drink in Great Britain without concluding that there was a great source of waste both of materials and of man power. In the midst of all the controversies over the question, and of all the uncertainties with which it is surrounded, two facts at least are certain and beyond controversy. One is that starch and sugar are used in the production of alcohol. The other is that large numbers of people get drunk on alcohol. Beyond these two facts there are others which are practically certain; but there are none upon which there is absolute unanimity of opinion or which will not be challenged by some one. The further we proceed from these facts, the less certainty and the less unanimity there is.

It is practically certain, and almost undisputed, that the starch and sugar used up in the manufacture of alcohol have more food value than the alcohol which is made from them. It is also practically certain and almost undisputed that a man is, on the average, and for the ordinary kinds of productive work, less efficient when he is drunk than when he is sober. If these two facts are admitted, it must necessarily be admitted that there is some waste involved in the manufacture and consumption of alcoholic drinks, when carried on on a large scale, and when the court records show large numbers of convictions for drunkenness.

In times of peace and prosperity a nation might conceivably afford both forms of waste, as it does many others. Even the adornments and embellishments of life, much, even, that goes under the name of "culture," and upon which a nation may pride

itself in times of prosperity, may have to be sacrificed as wasteful in time of war when the life of the nation is at stake. Drunkenness could scarcely be called an adornment of life, and there is nothing in it upon which a nation could take pride, even in times of greatest prosperity. It could scarcely be defended on any ground in time of war, when every ounce of national energy is needed for national defense.

As to the quantity of waste in food materials and man power, there are comparatively few recorded or authenticated facts upon which to base a calculation. That there is some waste is a certainty. Just how great that waste is, is largely a matter of calculation, based upon the few recorded and authenticated facts, and supplemented by the observation and experience of those deemed most competent to judge.

Among the recorded and authenticated facts may be included figures as to the quantities of liquor produced, imported and exported. From these it is not difficult to calculate the quantities retained for home consumption and the per capita consumption.

During the year ending March 31, 1914—that is, the last year unaffected by war conditions—the following quantities of spirits, malt liquors, and wines were produced, imported, exported, and consumed in the United Kingdom:¹

	Spirits, Proof gallons	Malt liquors, gallons	Wines, gallons
Production	28,785,496	1,291,114,476	
Imported	5,806,682	2,687,940	11,675,731
Total	34,592,178	1,293,802,416	
Exported	1,995,752	24,716,916	38,415
Retained for consumption.....	32,596,426	1,269,085,500	*11,637,316
Per capita .....	.71	27.51	.245

*Exclusive of 734 gallons delivered free of duty from bonded warehouses for the use of Ambassadors etc.

Again, we have official figures as to the materials used in the manufacture of alcoholic liquors in the United Kingdom at the beginning of the war.

¹ See Fifth Report of the Commissioners of His Majesty's Customs and Excise. (For the year ended 31st March, 1914.) Vol. XVII, Tables 12, 14, 33, 34 and 41.

The following materials were used in the manufacture of spirits and malt liquors:

Materials:¹ Estimated Quantities Used in Distilleries in Year Ending September 30, 1913

	Quarters	Pounds
Malt	1,053,608	505,731,840
Grain	1,198,730	575,390,400
	Cwt.	
Rice	3,780	423,360
Molasses	1,204,223	.....
Other	20,713	.....

Materials:² Estimated Quantities Used for Beer in Year Ending September 30, 1913

	Bushels	Pounds
Malt	52,287,637	1,777,779,658
Unmalted corn	91,068	4,371,264
	Cwts.	
Rice, rice grits, flaked rice, maize, and other similar preparations	1,611,357	180,471,984
Sugar, including its equivalents, syrups, glucose, and saccharin	3,279,814	367,339,168
	Pounds	
Hops	62,911,376	.....
Hop substitutes	18,885	.....

Since no wine is produced in England, there can not be said to be any waste of food materials within the country by reason of the wine industry. Something must, of course, be sent out of the country in the purchase of wine from other countries, but it need not necessarily be food. Since it was imported, however, either from her allies or from neutral countries, it would not be improper, if it could be done, to calculate the amount of food value used in making the wine that was imported in the United Kingdom. However, this would be a very difficult calculation to make, because no one could say specifically how much of the grape growing industry of the wine producing countries would be devoted to the production of food if the sale or exportation of wine were prohibited. In all probability, many of the vine-

¹ From Fifth Report of the Commissioners of His Majesty's Customs and Excise. (For the year ended 31st March, 1914.) Vol. XVII, page 28.

² *Ibid.*, 1914: XVII, page 34.

yards would be destroyed and the land turned over to other uses. How much this would affect the food supply of the neutral or Allied countries could only be estimated in the most general terms. Besides, it is by no means certain that England would get any more food if she stopped importing wine.

Some idea of the magnitude of the business of selling, as distinct from the business of manufacturing, may be gained from the following table, which gives the number of retail licenses for the sale of liquor:

*Annual Retail Licenses in Year Ending March 31, 1914*¹

	On premises	Off premises
Spirits	84,901	12,405
Beer, cider, and perry	26,811	22,150
Cider and perry	20	45
Wines and sweets (alcoholic)	2,634	14,791
Sweets (alcoholic)	145	274
Boats	393	...
Cars	551	...
Total	115,455	49,665

The statistics of drunkenness are more significant, at least so far as their bearing on the waste of man power is concerned, than the statistics of production, consumption, or sale. It is obvious that in every case of conviction for drunkenness some of the time of the convicted person has been subtracted from his regular occupation, to say nothing of his impaired efficiency. For every case of conviction, however, there must obviously be a good many cases of impaired efficiency in which the individual affected has not reached that stage of drunkenness which calls for the attention of the police and the courts.

*Drunkenness: Convictions in Courts of Summary Jurisdiction, 1912*²

England and Wales.....	145,976.	Judicial Statistics, page 64.
Scotland	28,971.	Judicial Statistics, page 65.
Ireland	59,624.	Judicial Statistics, page 44.
Total	234,571.	

¹ From Fifth Report of the Commissioners of His Majesty's Customs and Excise. (For the year ended 31st March, 1914.) Pages 61 and 62.

² From Parliamentary Papers, 1914, C.

Most of the calculations as to the amount of waste must be based upon these official figures, which may be taken as authentic.

There are at least three conspicuous forms of waste which can be counted separately, without overlapping and without counting any item more than once. First, the food materials used up in the production of alcoholic liquor; second, the property and the man power used in dispensing the liquor to the drinking public after it is produced; and, third, the impaired efficiency of those guilty of overindulgence. Certain minor items of waste might also be counted in. First, the manufactured product, especially when it is in the form of beer, is very bulky and requires more space on freight cars and ships than the food materials would have required had the grain, sugar, and molasses been made into food instead of beer. This excess—that is, the amount by which beer transported on freight cars or ships exceeds in bulk the food materials which might have been manufactured—obviously places an added burden on the transportation system when it is already overburdened. Second, the extra time or the extra man power required in policing, and in the judicial procedure which tries and convicts cases of drunkenness should also be taken into account in a complete inventory of the wastes which result from a lavish consumption of alcoholic liquors. That is to say, if, through the elimination of drunkenness, the police force could be cut down and also the personnel of the courts, just so much man power would be saved for other purposes.

It would not be proper to count the waste of food materials and also to count as wasted the man power used in manufacturing alcoholic drink. To make the grain into food would probably require as much man power as is required in making it into drink. But the food material itself is a positive loss.

The exact extent to which food is wasted in the manufacture of alcoholic drinks is not easy to determine. That there is some destruction is quite certain, but how to measure it is a difficult question. That there is some destruction is shown by the fact that alcohol is made from starch and sugar and that the alcohol thus made has less food value than the starch or sugar from

which it was made. That starch and sugar are foods is a demonstrable fact, and their food values are ascertainable with some approximation to accuracy. If it were clearly demonstrated that alcohol is also a food in a practical economic sense there would be some compensation for the destruction of sugar and starch in its manufacture. If its food value were ascertainable, the loss could then be calculated with some approach to certainty.

The weight of scientific opinion is to the effect that whatever food value there is or may be in alcohol it is so small as to be negligible in the rationing or nourishing of consumers. If taken under the right circumstances and in minute quantities, it is undoubtedly burned in the human system in such a way as to produce energy. The same is true of citric and acetic acid and various other substances. As these substances are commonly taken in real life, even by the most moderate drinkers, they produce so little energy as to be negligible. As consumed by any but the most moderate drinkers, their deleterious effects vastly outweigh any food value which they may have, or which they might show under the special conditions of a laboratory test. Any one who would take enough citric acid, for example, in the form of lemon juice to furnish an appreciable amount of energy would very likely suffer evil consequences. The same is peculiarly true of alcohol. In the actual rationing of a nation, therefore, its food value must be regarded as *nil*. The starch and sugar used in its manufacture must be regarded as a total loss so far as food is concerned.

Why not limit or prohibit the use of lemon juice as well as of alcohol? Nature seems to do its own regulating in the case of lemon juice and all similar substances which may easily be taken in excess but for which there is no particular appetite which leads to excess. There are no statistics or observations to show that large numbers of men are incapacitated for work through overindulgence in lemon juice. There are statistics and observations in abundance to show that considerable numbers of men are incapacitated through overindulgence in alcohol. Nature, in this case does not seem to do its own regulating by destroying the

liking for the substance before injury to the system results. Nature seems to set up such a defense against overconsumption of lemon juice and many other things which, if taken in excess, become injurious. The appetite is destroyed, nausea may even set in, as a warning and a safeguard against overconsumption. Where nature itself regulates, it is scarcely necessary that the government should concern itself about the matter.

A prompt quietus is put upon the argument that alcohol or any form of alcoholic drink is a food by the proposal that, if so, they who use alcoholic drink in war time should have their allowance of "other kinds of food" correspondingly reduced. This would seem too obvious to need discussion in a time of food shortage when the population is being rationed. If a drinker and a non-drinker are allowed equal quantities of solid food, and the drinker is allowed, in addition, a quantity of "liquid food" whether in the form of alcoholic drink or of milk, obviously the drinker is being better "fed" than the non-drinker. If alcohol is a food, and if there is no waste in its manufacture, fairness in the distribution of food would require that if one family consumes as much alcohol as would require a pound of starch or of sugar in the making, its allowance of starch or of sugar should be reduced by one pound. When this was proposed in the House of Commons, nothing further was said by the defenders of alcohol as to its food value, which is a pretty clear indication as to the ingenuousness of the contention that alcoholic drink, as commonly taken, is a food.¹

It may be contended, of course, that alcoholic drinks are not identical with alcohol and that some of these drinks, such as beer, for example, may contain nourishment aside from the alcohol which they contain. This contention, however, scarcely meets the issue. The real objection is to alcohol, its manufacture and its consumption, and not to the other ingredients that may be contained in these drinks. It is the alcohol which produces drunkenness and it is the alcohol in whose production food materials are wasted. There has been no objection on the

¹ See the *Canadian Magazine*, Vol. 49, 1917, page 302.

grounds of war economy to anything contained in these drinks except the alcohol. The liquor control policy either in the way of restriction or prohibition has not applied to nonalcoholic drinks. In some cases beer containing less than 2 per cent of proof spirit has been free from government restriction or control. Whatever nourishment there may be in beer aside from alcohol could still be provided in a nonalcoholic drink or in a drink with so low an alcoholic content as not to bring it within the field of government restriction or control. Since it is only the alcohol which has been the real object of government repression, we are justified in considering the question of economy wholly from that point of view.

But while we are safe in assuming that the loss of starch and sugar in the production of alcohol is irreparable, and that there is no calculable food value in the alcohol to compensate for the loss, it is not easy to calculate the exact loss resulting from the use of grain in brewing and distilling. Only the starch and sugar are used. The fats and the proteins remain in the slops from the distilleries and in the brewers' grains and malt sprouts from the breweries. While they do not remain in form fit for human consumption, they have a certain value in the feeding of animals.

So far we are on solid ground and not in the morass of opinion, conjecture, or calculation. How to estimate the comparative value of the whole grain on the one hand and of that part which is left after the brewer or the distiller is through with it, on the other, calls for some careful calculation. This calculation is made difficult by reason of the various uses to which grain is put, and the variety of conditions under which it is used.

If only so much of the grain were used for the manufacture of flour or cereal foods for direct human consumption, as to leave a residue in the form of mill feeds with a feeding value equal to that of the refuse from the breweries and the distilleries, the whole food value of the flour or cereal would be saved. If the refuse from the flour or cereal mills were exactly equal in value for animal feeding to the refuse from the breweries and distilleries, these two items cancel each other. We should then

have only to compare the food value of the flour and cereal with that of the alcohol. Since the latter is practically *nil*, it leaves the whole value of the former as a total gain when the grain is used for the production of flour and cereal, and a total loss when it is used for the production of alcoholic drinks.

In ordinary times, the English people do not consume, in the form of bread or cereal, large quantities of the kinds of grain used in the manufacture of alcohol. In time of war, however, when there is a danger of food famine, a great many habits have to be changed. Barley and rye, which are the principal grains used in the manufacture of liquor in the United Kingdom make thoroughly satisfactory flour and are used for this purpose in many countries. Rye is the principal breadstuff of large numbers of people in Central and Eastern Europe. Rice and maize are also used by large portions of the population of the earth for their direct consumption.

Sixty per cent of the barley may be made into flour suitable for making bread.¹ A slightly larger percentage of the other grains can be thus utilized. If 60 per cent of all these grains were milled into flour or cereal, the remaining 40 per cent would have slightly higher value for the feeding of animals than the refuse would have if the same grain were used for the making of alcoholic drinks. The 60 per cent used for the manufacture of human food would therefore be a clear gain. This would amount to a total of 648,927,360 pounds for the United Kingdom during the year ending March 31, 1914. This quantity would have furnished a pound of flour or cereal per day to one and three-quarters millions of people for a year. If we assume that two-thirds of a pound of dry flour will make a pound loaf of baker's bread,² the extra third of a pound being in the form of moisture, and if we make a similar allowance for the cereal when it is cooked and prepared for consumption, we have the

¹ "The closely adhering hull of barley grain constitutes about 15 per cent of its total weight." W. A. Henry: *Feeds and Feeding*. Eleventh Edition. Madison, Wis., 1911. Page 140.

² One hundred and ninety-six pounds of mixed rye, wheat and barley flour makes 290 pound loaves of bread.

equivalent of a pound loaf per day for two and five-eighths millions of people.

This calculation leaves out of account the sugar, syrup, and molasses used in the brewing and distilling industries. There is no data upon which to calculate the proportion of these materials that is suitable for human consumption. It is known that some materials of this kind are edible and other portions can be refined or purified and made edible, but just what proportions can not now be determined. On the other hand, it must be remembered that not all the alcohol which is distilled is destined for drink. A certain amount must be used for industrial purposes. This would certainly require more than the nonedible materials at present used in distillation.

• We have also left out of account the hops which figure among the materials used in brewing. Since they are not used as food, they could not figure directly as a part of the problem of the food supply. They could, however, be considered as indirectly affecting that problem by reason of the fact that they occupy land and engage labor which might otherwise produce food. In the long run this would be a legitimate consideration. As a matter of temporary war economy, however, it would be of more than doubtful expediency to destroy productive hop fields in order to grow grain. It would be similar to a policy of destroying vineyards and orchards in order to grow grain. While the food produced by an apple orchard in the form of fruit is less than might be produced if the land were devoted to the growing of grain, still the destruction of the apple trees for a temporary purpose would seem wasteful rather than economical. A parallel argument could be made with respect to the destruction of the hop fields. If the food shortage were likely to be long continued, it would be economical; it might also be necessary to sacrifice both the hop fields and the orchards. Only the most dire necessity would justify such destruction as part of the war time program of food production.

One of the most difficult questions in the calculation of the loss through the use of grain in the manufacture of alcoholic drinks

is that of appraising the relative value of the protein on the one hand and the starch and sugar on the other. The refuse from the breweries and distilleries contains practically all of the protein which was formerly in the grain. A little is supposed to go into the beer and be held in solution. This is sometimes estimated as high as fifteen per cent of the total protein content of the grain. This, however, could be saved in beer with less than one per cent of pure alcohol, as well as in beer with a per cent high enough to produce intoxication. This means that the refuse from the brewery contains more protein than the refuse from the flour or cereal mill. On the other hand, it is the aim of the brewer or the distiller to use practically all of the starch and sugar and leave none of it in the refuse. This means that the refuse from the breweries and distilleries contains less starch and sugar than the refuse from the flour and cereal mills when 60 per cent of the grain is milled for human consumption.

In making malt the barley grains are first steeped in warm water until they are soft. The grain is then held at a warm temperature until it begins to sprout, in which process a ferment or enzyme called "diastase" converts the starch into a form of sugar called "maltose." As soon as this change has occurred the sprouting grains are quickly dried. The tiny, dry, shriveled sprouts, separated from the grains are called "malt sprouts," and the dried grains with their content of malt sugar form malt. In the manufacture of beer the brewer extracts the soluble malt sugar and some nitrogenous matter from the malt. The freshly extracted malt grains constitute wet brewers' grains, which on drying in a vacuum are called dried brewers' grains.¹

In the manufacture of alcohol, the corn, rye, etc., after grinding are treated with a solution of malt to convert the starch into sugar, which is next converted into alcohol by the action of yeast. This is distilled off and leaves a watery residue, known as distillers' slops or slump. Formerly the slump was fed to fattening steers at the distillery; now it is largely dried in vacuum and the product placed on the market as a cattle feed under various proprietary names. In 1904 Lindsey of the Massachusetts (Hatch) Station placed the annual output of dried distillers' grains at 60,000 tons. Until recently, most of this product was exported to Germany. Dried distillers' grains are rich in digestible crude protein and fat, with a fair content of carbohydrates. Corn makes the richest and rye the poorest dried distillers' grains.²

¹ W. A. Henry: *op. cit.*, page 141.

² *Ibid.*, page 208.

It has been too often assumed that the protein is the only food element which has any value in the feeding of animals, but this assumption is completely without foundation. It is true that every feeder of animals buys protein and pays a high price to get it, and that feeds rich in protein bring a slightly higher price than feeds rich in starch and sugar. Nevertheless, starch is the most important element in animal feed and much more starch than protein is required. It happens, however, that in spite of the larger demand for starch than for protein, the supply of starch is even larger in proportion than the demand for it and the supply of protein smaller in proportion than the demand. This presents a problem which can only be solved after the most elaborate experimentation.

We have next to consider the relative value for purposes of human nutrition of the whole grain when fed to animals and of the refuse from the breweries and distilleries when similarly used. How much more milk is produced from a bushel of barley when the whole grain is fed to milk cows than is produced from the residue from the same bushel of barley after it has passed through the brewery or distillery? Here, again, some misconceptions have arisen because of the consideration of protein to the exclusion of starch as a food element. Since most of the protein remains in the refuse from the breweries and distilleries, it has been assumed, for what reason it would be impossible to state, that there is no loss in feeding value. It has even been hinted that there was a gain in feeding value. People have been warned that if the brewing and distilling industries were stopped, and there was therefore no more refuse to be had from these sources, it would actually cut down the feed available for dairy cows,¹ and therefore cut down the supply of milk. This could

¹ For example, S. J. Thompson, in a letter to *The Nation* (New York) for May 17, 1917, says: "In considering the prohibition question as it would affect the food supply of the country, it might be well for someone to call attention to a fact too often overlooked, or at least disregarded. In the distillation of alcohol and spirits about one-third of the weight of the grain used is returned in the form of a very valuable by-product, called distillers' dried grains. This product contains all of the protein and almost all of the fat content of the whole grain, the only loss being in the starch or carbohydrates. For

mean nothing, of course, except that the whole grain when fed would make less milk than the refuse would make after the starch and sugar were extracted. This, of course, is absurd, and no one with any understanding of the subject could make such a statement. The whole grain, of course, contains all the protein that the refuse could possibly contain; in addition to which it contains starch. Since starch is an important element of food value, the whole is greater than a part in this as in other cases. In fact, the most of the feeding value of grain is in the starch rather than in the protein, although the commercial value per pound of protein is higher than that of starch. This is more than compensated by the fact that there are more pounds of starch than of protein in a bushel of grain.

Figuring on protein values alone led Messrs. Kellogg and Taylor, in their otherwise valuable book on the *Food Problem*,¹ to conclude: "Obviously there is from the nutritional point of view little loss when barley is employed in the manufacture of beer and the residue fed to domesticated animals contrasted with the results of direct feeding of the barley to the animals."

On the other hand, Lawes and Gilbert of the Rothamstead Station (*Rothamstead Memoirs*, Vol. IV), after experimenting with malt, conclude:

A given weight of barley is more productive both of the milk of cows and of the increase in live weight of fattening animals than the amount of malt and malt sprouts that would be produced from it. . . . Irrespective of economy, malt is undoubtedly a very good food for stock; and common experience seems to show that a certain amount of it is beneficial . . . to young or weakly animals, or in making up for exhibition or sale; that is, when the object is to produce a particular result, irrespective of economy.²

the feeding of dairy cattle, distillers' grains are worth three times as much as corn, as they furnish three times as much protein, and protein is the essential nutrient for milk making. Thus, while the bulk, the weight, is reduced to one-third, the value as a dairy feed is increased inversely. If milk, then, is one of the most important of human foods, it would seem that there could be no economic loss in taking at least one per cent of the corn crop and converting it into distillers' grains, quite aside from any argument concerning the value of the distillate itself."

¹ New York, 1917. Page 206.

² Quoted by W. A. Henry: *op. cit.*, page 141.

Something depends upon the question as to which policy is pursued, that is, upon the question whether the feeding of the entire grain to animals is for the purpose of increasing the number of animals and animal products, or whether it is to displace an equivalent quantity of other feeds in maintaining the same number of animals and producing the same quantity of animal products. If the entire grain now used in the manufacture of alcoholic drinks were fed to animals, it would maintain more animals than can be maintained by feeding the refuse alone. If this merely means more animals and more animal products, there would be saved only the additional animal food. If the same number of animals were maintained, and the whole grain fed to them, an equal amount of other grain would be available for human consumption. In the latter case the effect on the food supply would be identical with the effect when the grain is itself used for direct human consumption. The identity of the grain used is a matter of indifference from the standpoint of the food supply. It is a question of kind and quantity used. If the closing of the distilleries and breweries did not increase the total amount of grain fed to animals, it would necessarily increase the amount available for other purposes than the feeding of animals. Presumably this increase would be available for human consumption in the form of flour, cereal, starch or glucose.

In the manufacture of starch and glucose from grain, only the starch is extracted and all the protein and fat are left in the residue.¹ In this respect there is a closer analogy between the manufacture of these products and the manufacture of alcohol than there is between the manufacture of flour or cereal and the manufacture of alcohol. Since all the protein is left in the residue from the starch and glucose factories, there is fully as much protein available for animal feeding when grain is used for these purposes as is available when it is used in the

¹ Cf. Whitman Howard Jordan: *The Feeding of Animals*. New York, 1901. Page 236.

manufacture of alcohol. We then have only to compare the food value of the starch and the glucose with that of the alcohol.

Enough has been said to show beyond all doubt that the whole grain has more nutritive value for human consumption when a part of it is made into flour, cereal, starch, or glucose and the residue fed to animals than when it is used in the making of alcohol and the residue is fed. It is also certain that when the whole grain is fed to animals it has more feeding value than the part which remains after the process of brewing or distilling. If the whole grain were available for the feeding of animals, more food producing animals could be supported than can be supported on the residue, or else, the same number of animals could be fed, in which case more grain would then be available for direct human consumption.

It is well known that there is a loss of nutritive value when food suitable for human consumption is fed to animals for the purpose of producing animal products. That is to say, the nutritive value of a given amount of grain is greater than that of the milk or meat which it will produce when it is fed to animals. Therefore, if the starch saved from the breweries and distilleries were used to add to our total production of milk or meat, the added milk and meat would have less nutritive value than the starch itself. If, however, the starch is not used to increase our production of milk and meat, but only to displace other grain feeds, the whole of these other grains is saved. While it is clear that there is some saving in either case, the *amount* of saving, in terms of human nutrients, depends therefore upon whether it adds to our supply of starch on the one hand or to our supply of animal foods on the other.

Jordan in his work on *The Feeding of Animals*¹ gives the following table showing the amount of human food produced by 100 pounds of digestible organic matter in an animal ration, when fed to different animals:

¹ *Op. cit.*, pages 405, 406.

RELATION OF FOOD TO PRODUCT

	PRODUCED BY 100 LBS. DIGESTIBLE ORGANIC MATTER IN RATION	
	Marketable product lbs.	Edible solids lbs.
Milk, general average	139.0	18.0
Milk, New York experiments	158.7	20.6
Cheese, green	14.8	9.4
Butter	6.4	5.44
Steers, general average, live weight	13.5	...
Steers, Iowa, live weight	16.8	...
Steers, Kansas, live weight	12.4	...
Steers, Maine, live weight	15.0	...
Steers, general average, carcass	8.3	2.75
Steers, Iowa, carcass	10.7	3.56
Steers, Kansas, carcass	7.6	2.52
Steers, Maine, carcass	8.7	2.84
Sheep and lambs, general average, live weight	13.9	...
Lambs, Iowa, live weight	17.8	...
Sheep and lambs, general average, carcass	7.0	2.60
Lambs, Iowa, carcass	9.6	3.25
Swine, general average, live weight	30.4	...
Swine, Iowa, live weight	33.0	...
Swine, general average, carcass	25.0	15.6
Fowl, small, live weight	19.6	...
Fowl, dressed carcass, average	15.6	4.2
Broilers, live weight	28.7	...
Broilers, dressed carcass	23.8	3.5
Eggs	19.6	5.1

On page 20 of this monograph it was shown that 3,044,-168,506 pounds of grain were used in the brewing and distilling industries in the United Kingdom during the year ending September 30, 1913. How much more food in the way of animal products would this have produced if the whole grain had been fed to animals, than when only the refuse was fed? The dairy cow is, according to the above table, the most efficient animal for turning animal feed into a human food, but the food elements in milk are mainly protein, fat, and sugar. The protein in the milk is apparently derived exclusively from the protein in the feed. Therefore, comparatively little more protein could be produced by feeding the whole grain than by feeding the refuse, since the refuse contains most of the protein. The butter fat and the milk sugar, however, are derived largely from the starches and sugars in the animals' feed. If protein were the only desirable food element in the milk, it would make

little difference whether the whole grain were fed or only the refuse; but fats of all kinds are quite as scarce in the countries at war as are proteins. It is, therefore, quite as desirable that the supply of butter be increased as that the supply of cheese, which contains the protein of milk, should be increased. Subsequent experience in England has shown that butter is one of the scarcest of all articles of food. For masses of the people it has been practically unattainable since the war began. However, if the whole grain were fed and certain other forms of feed rich in protein were added to balance up the ration, a considerable increase in the cheese itself would result. In no case is this to be understood as an argument in favor of feeding animals on a ration of pure starch. It is only a calculation to show what would result if the starch destroyed in brewing and distilling were saved and added to the other feeds available for animals in the United Kingdom.

About 65 per cent of the barley kernel and 67 per cent of the rye kernel are in the form of starch.¹ Approximately 11 per cent of this grain, even in the dry state, is water.² After allowing for the starch which the brewer and distiller fail to extract and which therefore remains in the refuse, it appears that between 40 per cent and 45 per cent of the weight of the grain represents the loss of starch. Forty per cent of the total grain used in brewing and distilling would be 1,217,667,402. If this were fed to cows in a proper ration it should have produced a considerable addition to the butter supply. According to Jordan's table, 100 pounds of digestible organic matter in the ration of the cow produces a little over 6 pounds of butter. Assuming that 100 pounds of starch will make 6 pounds of butter, we find that the starch used in making alcohol in the United Kingdom would make a total of 73,060,044 pounds of butter, or a little over a pound and a half apiece for every man, woman and child in the United Kingdom.

When fed to swine, however, the starch would probably not

¹ See Jordan: *op. cit.*, page 57.

² *Ibid.*, page 424.

add anything to the protein in the carcasses. It would add undoubtedly to the fat, which has a very large element in the food value of pork products. According to the authority just cited, 100 pounds of digestible organic matter in the animal ration would add a little over 15 pounds to the edible solids in the pork products. Assuming that 7 pounds of this is in the form of fat, we find that the starch used in the manufacture of alcohol in the United Kingdom would make, if fed to hogs, a total of 85,236,718 pounds of pork fat. No other animal is so efficient in turning feed into human food. When fed to steers, on the same basis of calculation, this starch would produce only about 10,000,000 pounds of human food in the form of beef fat.

In time of threatened famine or even a serious food shortage, it is highly improbable that an increased supply of grain thus made available would be used up in the production of animal food; since, as stated above, the food value of the grain for direct human consumption is much greater than the food value of the animal product which it will produce, it is quite certain that a policy of food conservation would reduce rather than increase the number of animals kept and the quantity of animal products produced. This brings us back to the earlier basis of calculation. This means that the grain saved from breweries and distilleries, at least the edible portions of it, would be used for direct human consumption in the form of flour, cereal, starch and glucose.

As to the waste caused by drunkenness or the inefficiency which is due to excessive drinking on the part of workers, it is difficult to arrive at any satisfactory measurements. As shown on page 21, the total convictions for drunkenness in the course of the last year preceding the war were 234,571. Assuming that one day was lost for each conviction for drunkenness and dividing this by the approximate number of working days in a year, it is equal to the working time of 782 men for a year. This, of course, is not a very large fraction of the total working power of the whole population; but this is a considerable underestimate of the loss, as will appear from several considera-

tions. In the first place, one day is a low estimate of the time lost for every conviction. In the second place, no figures are available to show the loss of time by people who are drunk, but not convicted before a court. In the third place, it takes no account of the loss in skill and efficiency on the part of men who are at work but whose efficiency is somewhat impaired by reason of their having partaken too freely of alcohol. In a kind of work requiring such care, skill and responsibility as the making of munitions, this item of loss may easily outweigh all others. In the fourth place, it leaves out of account the undermining of the health, and the consequent increase of sickness among those who drink pretty regularly, but who are seldom or never in a state even bordering on drunkenness. In the fifth place, it furnishes no indication as to the loss in efficiency in succeeding generations due to the bad home conditions in the families of the hard drinkers.

If, instead of counting merely one day of lost time for every conviction for drunkenness, we count two days, and if we assume that for every conviction there is at least another case which escapes conviction because it is not found in a disorderly condition in a public place, we should multiply by four the total number of days lost under our previous calculation. Instead of a loss of the working time of 782 men for a full year, it now becomes a loss of the working time of 3,128 men for a year. If we continue by adding other items of the above enumeration, the figures mount higher and higher. There is, however, no known method of reducing this calculation to the test of measured and recorded facts.

To offset this loss, however, there is the undoubted value of drink as a fool killer. In the long run, and in normal times, unstable natures may gradually be weeded out of the population through the influence of any temptation which is peculiarly deadly to such natures. The orderly occupations of peace can doubtless make little use of such natures and if they are removed to give room for more orderly and stable characters, there is doubtless some gain. But in time of war, this is a considera-

tion of little value. Impulsive and unstable natures may be quite as usable as the orderly and stable ones. The state needs them all. If it is to make use of the kind of men who can not withstand the dangers of drink, it must obviously protect them against that danger which is especially deadly to them.

So much has been made in the past of the revenue which various governments derive from liquor taxes, that the question can not be ignored in a discussion of this kind. The advantage of the liquor tax, however, is not in any sense an economic advantage. It is merely an illustration of Colbert's famous maxim that "taxation is the art of getting the maximum amount of feathers with the minimum amount of squawking." If we distinguish sharply between the economic and the demagogic aspects of the question, it is perfectly obvious that the buying of alcoholic liquor does not create any new wealth. The buyer of a drink may be told that a certain fraction of the price which he pays will go into the coffers of the state. If he is very anxious for the drink, he may consent to pay this tax to the state more willingly than he would if asked to pay the same fraction into the coffers of the state without getting the drink. Unless, however, the drink is of some economic advantage to him, he is certainly no better off when he pays his tax to the state in this way than he would be if he paid it directly. If he is in some way prevented from spending his money on drink, he will be economically better off if he is taxed directly the equivalent of the small fraction of the price of the drink which goes to the state; he would have left in his pocket at least the rest of the price of the drink.

This argument, of course, would apply equally well to all taxes on luxuries. The only economic advantage to the country from any tax on luxuries is that it tends to repress the consumption of luxuries. Whether the luxury be in the form of an alcoholic drink or in some other form is a matter of no consequence. If, however, there are other and more effective ways of repressing the consumption of the luxury in question, it can hardly be considered an economic loss to give up a less effective

method of repression in favor of a more effective method. When the deliberate purpose of a luxury tax is the repression of luxurious consumption, this furnishes the poorest kind of an argument in favor of encouraging the continuance of luxurious consumption in order to provide revenue for the state. Yet this is the predicament in which one is placed who argues that there is any economic advantage in deriving revenue from the manufacture and sale of an alcoholic luxury.

From the purely demagogical point of view, however, the government, as distinct from the people who are governed, may sometimes find it necessary to resort to this method of raising revenue. Under a popular government, of course, there is no power of raising taxes except through the consent of the people who pay the taxes. If this consent can be more easily secured for one form of taxation than for another, that may be a good enough reason why the government should propose the one rather than the other in normal times. If one were advising the government, one might even advise the use of the one form of taxation rather than of the other. That is, the adviser to the government might say, in effect, the people are so unwise or so disloyal that they will not vote for direct taxes nor will they vote for any candidate for public office who proposes to tax them directly. Therefore the only wise thing to do, since revenue is necessary, is to tax them indirectly. If, however, the adviser were not giving advice to the government, but to the people themselves as to what kind of a tax they ought to support by their votes, he would have a different question altogether. It would be rather absurd to say to the people, you are so very unwise that you can not see the economic advantage of paying a tax directly, or so disloyal that you will not consent to it, but you think erroneously that you gain some advantage or bear less burden when you pay your taxes in the form of an excise on useless or harmful things which you buy. Therefore, you ought to go right on buying these useless or harmful luxuries in order to deceive yourselves into paying necessary taxes to the government, since the government must have revenue from one

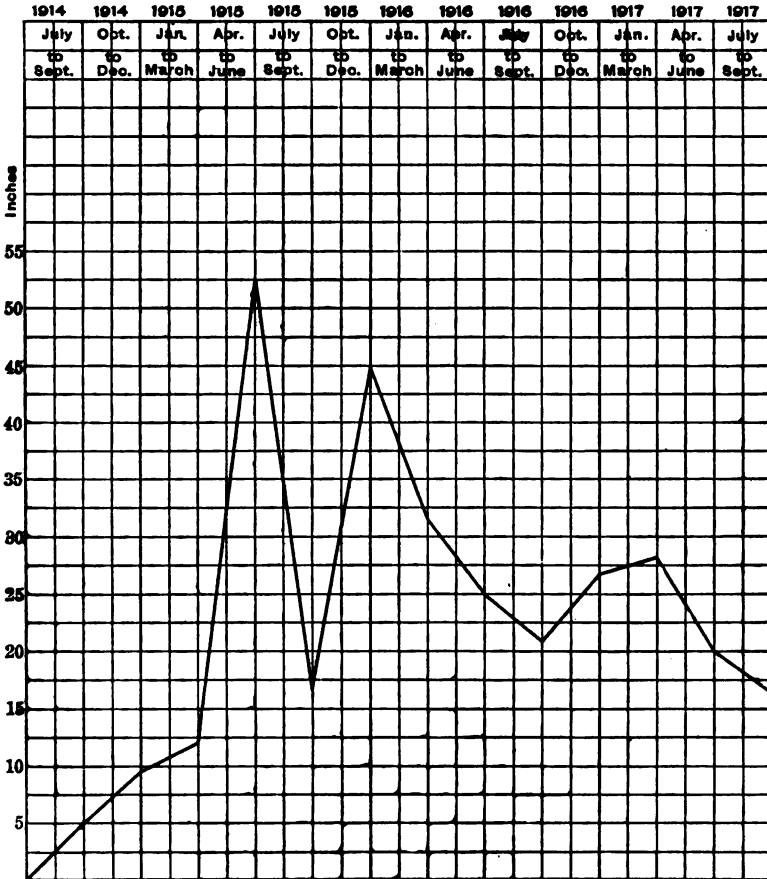
source or another. This, however, is in effect what a good many self-styled "practical men" are telling the people, not only with respect to excise on alcoholic drinks, but with respect to the consumption of other nonessentials.

CHAPTER II

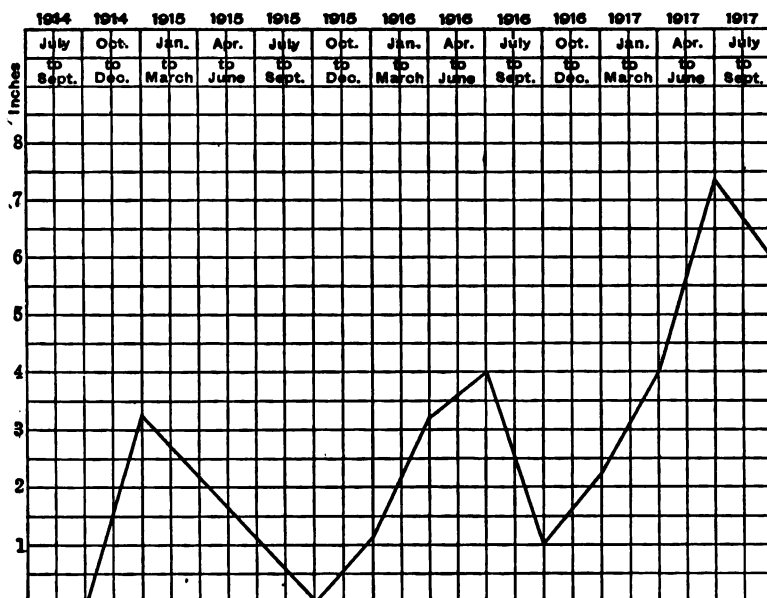
The Attitude of the Public

The distinction pointed out at the close of the last chapter between the government and the people makes it necessary for us to find out what the people were saying and thinking, as well as what the government was doing about the liquor question. Mr. Lloyd George left no doubt as to his own personal views on the subject in his famous remark, "We are fighting Germany, Austria, and drink, and, as far as I can see, the greatest of these deadly foes is drink." Nevertheless, as an agent of government, he could do nothing more than the people were willing to stand. In the *New York Times* of June 16, 1915, Arnold Bennett is quoted as saying: "The government failed in its attempt to handle the drink question. It failed because there is no sufficient body of opinion in Britain about alcohol; it failed because as a nation we have never been educated about alcohol; and the new government will fail for the same reason."

The development of public opinion upon any topic is a very elusive matter and the process is very difficult to describe. The attention given to the drink question in England as the war progressed showed a definite quantitative increase, yet that increase can not be measured. Some indication as to the rate of increase can be found by merely measuring the space given to the drink question in the Index to the *London Times* from quarter to quarter. The following curve shows the increase:



The curve given below shows the amount of space in the *London Times* devoted to *Beer*, as a topic distinct from *Drink*:



While this curve furnishes some indication as to the amount of attention given to the subject, it shows nothing as to the development of opinion for or against any particular policy or method of handling the drink question.

Discussion was first provoked by the Order in Council giving the competent naval and military authorities power to forbid or restrict the selling of liquor within specified areas. Any one could see the necessity of strict military discipline and of giving officers considerable authority in its enforcement. When soldiers or sailors were likely to be incapacitated by being drunk at critical times, no one but the most perverse could object if the officers who were responsible for the success of undertakings of vital importance were permitted to take such action as would keep their men from getting drunk.

A study of the files of the *London Times* shows that this was

the view generally taken. In its issue of October 17, 1914, it says of the licensed trade:

It will loyally support all reasonable demands made by those who are answerable for the well being of the defensive forces of the country and the maintenance of public order, but it resents any attempt by those whose object and aim is prohibition to make use of a national crisis to foist upon the community measures unduly interfering with the rights and liberty of the public; and it protests against the imposition of drastic restrictions without any corresponding alleviation of the excessive duties based on assessments arrived at in a period of normal hours of trade.

On October 13 it said:

It is a very simple and moderate remedy, but effective and not resented because it is moderate. Everybody who really knows our public house population is aware that a great deal of drunkenness occurs merely through accumulation. A moderate curtailment of hours will stop this cause of drunkenness, which is the principal influence in such cases as these young men in training. The question of further curtailment has been discussed by some benches, but the decision is against it, and probably for sound reasons, though special circumstances may in some places call for specific measures.

On October 28 it published an article entitled, "An Appeal for Sobriety," in which Lord Kitchener and the Archbishop of Canterbury appeal to the public to help in maintaining sobriety among the soldiers in training by refraining from the practice of treating. Physical fitness constituted the basis of the appeal.

On November 13 it mentions the League of the Khaki Button, founded by the Archdeacon of Chesterfield, whose wearers pledge not to stand any one a drink or to be stood a drink until the war is over.

On November 18, regarding Lloyd George's proposed tax of a "halfpenny on the half pint," it states that the brewers say they will submit, but hint at bankruptcy.

Mr. Chamberlain says:

The halfpenny on the half pint plus the other circumstances adverse to that particular trade—the absence of drinking at home and the curtailment of the hours—will produce 35 per cent reduction of consumption. I ask any manufacturer or trader to say what would be the effect on his profits of a reduction of 35 per cent in his turnover. I think the Chancellor will perhaps be convinced that he is not leaving a sufficient margin to meet the extra strain thrown upon the trade.

On December 31, in an article on "The Consumption of Beer," it says:

When the Chancellor of the Exchequer put his extra tax on beer to help pay for the war, he calculated that the fall in consumption on account of the increased price would be about 23 per cent.

The immediate effect was a drop in consumption of close on 60 per cent. Many of the brewers forthwith reduced their production.

Later reports from the country show a notable rise in consumption, which varies considerably, of course, according to the nature of the place and the density of the population. But in manufacturing centers the attachment of the average working man to his "pint" has overcome the fit of economy which seized him when the price went up and there is almost as much beer being consumed as ever.

In its issue of March 2, 1915, it comments on Mr. Lloyd George's speech on drink, as follows:

Mr. Lloyd George's remarks in his Bangor speech on the drink question in relation to our industrial productivity were freely discussed in the lobby yesterday. It is understood that the Chancellor of the Exchequer intended his remarks to be regarded as a warning rather than as a threat. The government have no immediate intention of introducing fresh legislation for restricting the hours during which intoxicating liquor may be sold. It should, however, be borne in mind that the Defense of the Realm Act entrusts the responsible authorities with very wide powers in respect of licensed premises which have by no means been fully exercised so far. The existing war restrictions have been chiefly imposed in the interests of our soldiers and sailors. Ministers, however, have been greatly impressed by the moral gain achieved by the Russian suppression of the vodka, and the significance of Lloyd George's words lies in the suggestion that future regulation of the liquor traffic may be applied in the interests of the civil population.

On March 23, 1915, it published a letter signed "Working Class," protesting against the implication that the working classes were greater sinners than others in the matter of drink:

In his proposals with regard to drinking facilities, Mr. Lloyd George's magnificent good sense has for once forsaken him. In "certain areas" the public houses are to be opened only during limited hours. I belong to the working classes, and as one of their own class who knows them well I venture to suggest that the truer way to win their support is to ask them to submit to a restriction which the whole community accept. This is no "temperance question." It is a matter of equal sacrifice on the part of all for the sake of the nation in war time. (Of course the brewers, distillers and publicans must be adequately compensated.) The working classes feel that

the aristocracy of England is thoroughly playing the game in this war, but they feel that the merchants, shippers, and manufacturers are out mostly for self. This may be a harsh judgment. But we have to take the facts as they are. No class will be more loyal than the working classes to any common restrictions affecting all alike. They will resent being pilloried for special treatment. Now the government is doubtless acting as far as it thinks public opinion will support it and what the situation demands is a new public opinion. Will the aristocracy not give us another lead? If the principal social and political clubs in London voluntarily agreed, and that quickly, to accept the same limitations with regard to the hours at which drinks may be served as the Chancellor of the Exchequer proposes for workingmen, it would do much to make the movement a national one.

On March 30, in an article entitled "Conference on Drink," it says:

A deputation representative of the leading shipbuilding firms in the country was received yesterday at the Treasury by the Chancellor of the Exchequer and Secretary for Scotland. The deputation was unanimous in urging that in order to meet the national requirements at the present time and the urgent necessities of the position, there should be a total prohibition during the period of the war of the sale of excisable liquors. It was represented by them that mere restriction of hours, or even total prohibition within certain areas, was not sufficient, as certain classes would be entirely unaffected, and it was felt by the deputation that total prohibition should apply as an emergency war measure not only to public houses, but to private clubs and other licensed premises, so as to operate equally for all classes of the community. In putting forward these views, those who spoke on behalf of the deputation expressed themselves as satisfied that there was a general consensus of opinion on the part of the workers favorable to total prohibition along the lines indicated.

It was stated that in many cases the number of hours being worked was actually less than before the war, and in spite of Sunday labor and all other time, the total time worked on the average in almost all yards was below the normal number of hours per week. In spite of working night and day, seven days a week, less productiveness was being secured from the men. The deputation was of opinion that this was principally due to the question of drink. . . .

The deputation drew attention to the example set by Russia and France, and urged upon the Chancellor of the Exchequer the need of strong and immediate action.

Mr. Lloyd George in his reply said that nothing but root and branch methods would be of the slightest avail in dealing with this evil. . . .

He added that success in this war was now purely a question of munitions, and mentioned that the King had permitted him to say that his Majesty was very deeply concerned on the question.

In the issue of March 31, the Newcastle correspondent says:

The Boilermakers' Society has lost no time in replying to the remarks made at the conference on drink and armaments Monday . . . the tales told by the Shipbuilding Federation are the same old misrepresentations, exaggerations and contradictions that have been heard from them many times. . . . This wholly unjustifiable attack will do more than all the drink in the country to diminish output.

On March 31, 1915, is the following editorial comment:

The question of lost time in the workshop is the urgent problem of the moment. Just at present the cry is that drink explains the whole thing and that some drastic, but as yet undefined, step must be taken to deal with the drink traffic. . . . The deputation of shipbuilders who waited on Mr. Lloyd George laid the whole blame upon it, if we understand them correctly and they are confirmed by Dr. Charles Harford, secretary of the committee appointed to investigate the subject at the conference summoned by the Archbishop of Canterbury in the autumn. It is not necessary to agree with all he says in order to admit the magnitude of the evil. It is denied by no one and only a few days ago, it was urged upon the government by the representatives of one of the great trade unions. In the letter to Mr. Lloyd George published last week from Mr. Gosling and Mr. R. Williams of the National Transportation Workers Federation, the effect of excessive drinking on the output of munitions of war was emphasized in very strong terms. About the remedy there is, unfortunately, no such agreement. Many proposals are made from general prohibition downward. Mr. Lloyd George rather hinted at general prohibition in his reply to the deputation on Monday, but we gather that the government has as yet come to no very definite opinion beyond the urgent importance, which indeed is manifest, of grappling with the problem at once. We presume that at any rate they recognize the necessity of dealing with clubs as well as public houses and applying any measure impartially to all classes. If both these conditions were not fulfilled, no measure would have the slightest success; it would throw a great number of persons out of work and excite general resentment for nothing. The only chance of its acceptance by the men whom it is intended to influence would be for others to set an example for those in high places. If they continue to drink at the club and at home, so will the Clyde and Tyne workmen. Can not we inaugurate such legislation as may be called by a self-denying ordinance voluntarily accepted for the term of the war by those whose business it is to set a good example to the nation?

In the same issue, Mr. H. G. Robinson, Secretary of the Licensed Victualers' National Defense League, said:

Mr. Lloyd George told the deputation made by the Chancellor of the Exchequer that no statesman could go in advance of public opinion, and in

that expression alone there is indication of the danger that would inevitably follow any attempt to introduce a measure for national prohibition. It must be borne in mind that Mr. Lloyd George on Monday heard simply the views of the employers' representatives. The views and feelings which exist among the general body of workers have not yet been voiced. Before the government intervenes to ask for special legislation, or for the issuing of an order by the Privy Council with the sanction of his Majesty, both sides of the question I have no doubt will be carefully considered and the evidence that can be produced by employers and employed will be sifted thoroughly.

Speaking as the representative of many thousands of licensed victualers, I can say honestly that throughout England and Wales we have assured the army that as far as lies in our power we will prevent such mischief arising as that which is now causing so much anxiety. To no one has the complaint made by the deputation caused more regret than to licensed victualers, who feel that a small number of men are not only bringing disgrace upon their own class, but are responsible for serious injury to a legitimate trade.

In the issue of March 31 are also contained comments from different localities on this matter of prohibition, which may be summarized as follows:

Sheffield.—The attitude both on the part of the employers and the men's leaders is, generally speaking, strongly opposed to total prohibition.

Manchester.—Inquiries in engineering quarters show that there is no general demand in the city for the prohibition of drinking facilities.

Birmingham.—Opinion with regard to the hours of public houses is against total closing, but in favor of curtailment.

Barrow.—A fairly good reception has been given to the suggestion that during the continuance of the war all public-houses in districts where government contracts are being turned out shall be totally closed. At no town in the country has such bad time been made by the men who have preferred to spend their time in public houses. It is felt that total prohibition will lead to a very great increase in production of munitions of war. Publicans profess to be ready to accept the scheme if they are to receive compensation for loss of trade.

The issue of April 2 contains statements from the following places:

Cardiff.—For some months hotels and clubs have been closed at 9 P.M. and it is generally considered that this is a reasonable and satisfactory arrangement.

Plymouth.—The nine o'clock closing is working satisfactorily. Some believe it would be an advantage if the public houses were not opened early in the morning, but generally speaking there are few complaints of lost time through drinking.

Liverpool.—Mr. Wright, President of the Licensed Victualers' Association of this city said at a meeting yesterday that the suggested prohibition of drinking during the war was too drastic a step to be successful and that the present arrangement should be given a fair trial first.

Newcastle-upon-Tyne.—Public opinion is hard to gauge. The licensed trade is silent for patriotic reasons. Employers generally favor prohibition, but the men's leaders believe that further curtailment of hours should be tried before prohibition is resorted to.

Leeds.—No strong feeling is expressed either for prohibition or reduced hours.

Belfast.—There is not the same excessive drinking here by workmen on war contracts as apparently exists in other centres. There is no general desire for prohibition, but opinion is strongly in favor of restricting hours.

Glasgow.—The alternative suggested to total prohibition in the Clyde district is restriction of hours.

Warwickshire.—The opinion of the miner's agent is strongly against total prohibition as unfair to the working classes, very few of whom neglected their work through drink.

Southampton.—The Southampton Trades and Labor Council, representing nearly 20,000 organized workers, has passed a resolution against the proposed prohibition of the sale of intoxicating liquors to the working classes. It was admitted that a few lost time through drink, but that the great majority should not be penalized on their account.

There is also in the issue for March 31 a letter from Charles F. Harford, which says:

Last November a conference was held under the presidency of the Archbishop of Canterbury to consider this subject, which consisted of people interested generally in the welfare of the nation, but who were not necessarily associated with the temperance societies. This conference recognized the great national peril which arose from the drink habits of the nation, but suggested as a first effort that an attempt should be made to deal with the admitted danger by means of a patriotic pledge of voluntary abstinence for the period of the war and by provision of suitable means for refreshment and recreation apart from the sale of drink, in addition to the operations of the Temperance Restrictions Act. I was appointed the honorary secretary of the committee formed to carry out the resolutions of that conference and it was my duty to communicate them to all the mayors and chairmen of district councils throughout England, the other parts of the United Kingdom being otherwise dealt with. I have also had the opportunity of reading all the press comments on this subject from that time onward and I have no hesitation in saying that any voluntary efforts which could be put forth are utterly unable to cope with the existing difficulty, and I am convinced that, if the government will take the drastic action proposed by the representatives of the shipbuilding firms, public opinion will be on their side. I would venture, however, to make the following suggestions:

1. Anything which may be done must be clearly understood to be emergency legislation solely on account of the necessity caused by the war.
2. There must be no singling out of special classes for unusual treatment.
3. Full justice must be done to "the trade" and the nation must be prepared to bear any extra financial burden, though I believe that the gain, even from the economic point of view, will be infinitely greater than the loss.
4. The licensed victualers should be invited to cater for the provisioning, particularly, of the industrial community, whose nutrition is a matter of the first importance and which has been seriously interfered with by money spent in drink instead of food.

On April 1, 1915, the *Times* said of the attitude in Sheffield:

The total prohibition during the period of the war of the sale of excisable liquors is not supported by the men who direct the great armament works of Sheffield. There is general agreement that no case has been made out for so drastic a step, and that as a means of increasing the output of munitions of war, it would be of very doubtful value. Complaints that work is neglected because of drink are very few, and the number of hours worked by the men in the shops where the pressure is high are remarkable.

In the issue of April 7 it said that the licensed trade in Scotland was to receive a deputation representative of the Scottish licensed trade on the drink question; that the views of the trade in Scotland were that total prohibition or even prohibition of the sale of whiskey was impracticable; and that the alternative which they would propose to the Chancellor of the Exchequer was that the case would be met by drastic local restriction in the districts where the manufacture of munitions of war was being hampered by drink. The deputation also requested a meeting with the Labor Party, who, it is authoritatively stated, favored a restriction of hours rather than prohibition.

On April 5 a letter to the *Times* demands that drink be abolished and the "pubs" converted into recreation centers for the rest of the war. A machinist protests against the assertions of drunkenness made by the Employers' Federation in their interview with Lloyd George. He claimed only a small minority of munition workers drink to excess. A third writer claims that overpressure and overfatigue were responsible for much that liquor is charged with. He does not want prohibition, since the British people "have neither the discipline of the Germans nor the

docility of the Russians." He would like to have liquor at the industrial plants gradually supplanted by nonalcoholic beverages.

Commenting upon the King's decision to abstain from the use of alcohol for the duration of the war, a letter in the issue of April 7 from Mr. R. Burbidge said:

As illustrating the great influence of the King's example in deciding to forego alcohol during the war, I am sure it will be of public interest to know that today all our employes who have meals on the premises have unanimately offered to give up alcoholic drinks for the future. I have no doubt that large masses of workers all through the country will act similarly, and also that employers will encourage this national movement toward temperance wherever the desire for abstinence is manifested.

In the same issue are short paragraphs from Glasgow, Sheffield, Liverpool, Manchester, Belfast, Windsor, Oxford and Edinburgh, praising the example of the King and saying that his example had been followed by many leading men in these towns.

In the issue of April 15 the *Times* says of the licensed trade:

Many brewers and licensed victualers, while admittedly uneasy with regard to the possibility of government action, decline to regard seriously the idea of the nationalization of the liquor trade. . . . There is a general feeling in the licensed trade that all sense of proportion is being lost, and that for the remedies which are being suggested there is not the slightest justification.

The people interested in the licensed trade are inclined to resent "the manner in which temperance advocates are exploiting the necessity of the moment in the interests of the cause they have at heart." They declare that it is a breach of the political truce at a time when the friends of the trade are fighting the country's battles abroad and can not therefore defend them at home.

An editorial in the issue of May 1, 1915, says:

The government's liquor scheme has, of course, raised a great hubbub, which can hardly be a surprise to them. . . . Drastic interference touches too many people in the Briton's tenderest point—his personal liberty—not to arouse strong feeling. But it behooves us all to remember the circumstances and not to confuse these special war measures with ordinary liquor legislation. For our own part, after reconsidering the scheme . . . we remain of the opinion that, as a whole, it is framed on reasonable lines; but we think that it needs a good deal of modification in detail. . . . It is already abundantly clear that changes will be demanded.

It is argued by some objectors that the taxation proposals are really beside the mark, and will materially interfere with large sections of the population who have nothing to do with the evil which is the sole reason for doing anything at all. Regarded in this light, these proposals appear as an attempt to force "temperance" on the general public under cover of the war emergency, and as such they are sure to arouse widespread resentment.

In a later issue of the *Times*, for December 2, 1916, a correspondent writes as follows:

In the district where I live each villager keeps a pig or two. . . . Large numbers, too, are reared by farmers, but since, owing to the demand for barley for brewing, etc., the price has risen to 70s. per quarter, these pigs are being thrown on the market, immature and unfit for food, owing to the impossible price of feeding stuffs.

Why prate of "economy in food" or shortage when this appalling waste is allowed to continue?

In the issue of December 22, W. Bramwell Booth writes: "Why should three-fourths of the population of this country suffer from an insufficiency of the necessities of life in order to provide the other fourth with what is unnecessary?" What folly it is to "use the enormous quantity of grain and sugar per annum—of the former about 65,000,000 bushels, and the latter 360,000,000 pounds—in producing drink for the use of one-fourth of our people, and that when they do not really need it."

In all these discussions there is a noticeable tendency to disclaim any temperance or prohibition proclivities. Such support as is given to the restriction of the sale or consumption of drink is based solely upon the necessities of war. From the very first there was a deliberate tendency to take the whole question out of the hands of prohibitionists and temperance advocates. Some of the most important official reports and documents make no mention of temperance societies or publications. One might read almost every official statement regarding drink control, and all that the leading newspapers published regarding it, and never suspect that there was or ever had been a distinct temperance movement in Great Britain.

There was, however, a great deal of active propaganda going

on by various temperance organizations. The Temperance Legislation League, representing a great many social workers, had been running for several years. Its published object was to promote temperance reform by legislation and to effect the distribution of the licensing laws. In its *Monthly Notes* it began early in the war agitating for more strict control of the liquor trade. The action taken by Russia to prohibit the sale of vodka was widely published and commented upon. In the issue for January-February, 1915, the League published an article entitled "The Present Opportunity," in which it was urged that there never was a time when the temperance question had been so definitely forced upon public attention by events, and that temperance reformers should take advantage of that situation to bring the matter before the public in every possible way. Subsequent numbers show that, while the men in control of public affairs seemed to ignore the active temperance reformers, nevertheless the active temperance reformers were not disposed to be ignored and were using every opportunity to make their influence felt.

The Alliance News, which is the official publication of the United Kingdom Alliance, the largest temperance body in England, was likewise active in temperance propaganda and made large use of the necessities of war as an argument. Lord Kitchener's personal advocacy of abstinence and the King's voluntary adoption of total abstinence were kept before the people as examples to be copied.

Such captions as "beer or bread" were kept before the eyes of the public. The issue of January, 1917, contains an argument entitled "Hang on to Your Pigs." The Parliamentary Secretary to the Board of Agriculture had apparently advised cottagers to keep their pigs and not sell them or slaughter them. The *News*, however, raised the question, how can the cottager hang on to his pigs and fatten them if the grain is to be used in the making of beer rather than meal? The point was that all over the country it had been impossible to get sufficient quantities of barley meal because the maltsters and brewers had bought up all that had come to the market. The argument ends with the question,

"Which shall be sacrificed, beer or bacon? We can not have both." In the issue for May, 1917, it states that

A plebiscite has been taken among employes of shipyards in the Clyde region on a resolution protesting against statements reflecting on their sobriety and industry in the furnishing of munitions and ships, repudiating the accusation that they would resent by a policy of "down tools" or otherwise further drastic restrictions on the sale of intoxicating liquor, and declaring that they would welcome prohibition if, in the opinion of the government, it would shorten the war by a single day, and were made applicable to all classes.

Early in 1916 the *Spectator* announced its decision not to admit any advertisements of intoxicants in its columns during the period of the war. In the issue of October 13, 1917, it said:

They urge . . . us to exercise economy, and to save every ounce of food we can do without, if we want to make sure of beating the Germans, but the word "beer" or "alcohol" is never mentioned. We are told to economize in meat, in milk, in cheese, in butter, in bacon, in sausages, in dog biscuit, in petrol, and in hundreds of other things, but one word is always missing. About beer or alcohol there is a complete and most successful conspiracy of silence.

One of the most significant movements, however, came relatively late. It was known as the Strength of Britain Movement. It "was formed at a meeting of business men and others at the Hotel Cecil in June, 1916, when a resolution to proceed with the campaign for prohibition during the war was proposed by Sir Alfred Booth, Bart., Chairman of the Cunard Line, seconded by Mr. Angus Watson, supported by Mr. Thomas Burberry, and carried.

The executive committee appointed at that meeting resolved upon two courses of action:

1. The promotion of the Strength of Britain Memorial among men and women of distinction and of representative positions in all departments of life.
2. The promotion of a newspaper campaign to enlighten public opinion as to facts.

The Memorial has behind it an array of the brain power of the nation that no government can lightly set aside, but behind this demonstration of the intellectual opinion of the country an effort is being made to organize a national volume of popular opinion through newspaper appeals which reach millions of people; through the issue of a handbook of facts available

at the offices for 5s. per 100, or £2 per 1,000; and through the publication of this book.¹

One of the first acts of this organization was the publication of what was known as the Strength of Britain Memorial, a petition signed by more than 2,000,000 adult persons in England and Wales, more than 400,000 women in Scotland, and more than 150,000 adult persons in the single province of Ulster in Ireland.

AN APPEAL TO THE GOVERNMENT OF GREAT BRITAIN TO PROHIBIT THE LIQUOR TRAFFIC DURING THE WAR

Strength of Britain Memorial

WE, CITIZENS OF THE UNITED KINGDOM, APPEAL TO THE GOVERNMENT TO PUT THE NATION ON ITS FULL STRENGTH.

Two grave dangers stand before us, holding back the power of early victory and throwing a shadow over the vision of peace. One is the wasting power of alcohol; the other is the imperiling of infant life. Among all the factors of weakness, these confront us with terrible vividness, and they lie within our control. With the weakening power of alcohol removed, our national effort against the enemy would have gathered increased strength; with increased strength and more rapid supplies our losses in six campaigns would have been substantially reduced.

Now that the nation has followed the example of our allies in enrolling its full manhood, we appeal that we may range ourselves with our greatest allies and put on the whole armor of Britain. The power exerted by alcohol cuts through the efficiency of the nation; it weakens our fighting forces and must lengthen the war. These facts stand out concerning this powerful trade:

IT HINDERS THE ARMY: it is the cause of grave delay with munitions; it keeps thousands of men from war work every day, and makes good, sober workmen second rate.

IT HAMPERS THE NAVY: it delays transports, places them at the mercy of submarines, slows down repairs, and congests the docks.

IT THREATENS OUR MERCANTILE MARINE: it has absorbed during the war over 200,000,000 cubic feet of space, and it retards the building of ships to replace our losses.

IT DESTROYS OUR FOOD SUPPLIES: since the war began it has consumed

¹ From page 4 of *Defeat or Victory, the Strength of Britain Book*, by Arthur Mee and J. Stuart Holden, published for the Strength of Britain Movement, London, and reprinted in the United States by the American Issue Publishing Company, Westerville, Ohio. First edition, January, 1917; second edition, February, 1917.

over 3,500,000 tons of food, with sugar enough to last the nation 100 days. It uses up more sugar than the army.

IT WASTES OUR FINANCIAL STRENGTH: since the war began our people have spent on alcohol over £400,000,000 (sterling).

IT DIVERTS THE NATION'S STRENGTH: it uses 500,000 workers, 1,000,000 acres of land, and 1,500,000 tons of coal a year; and during the war it has involved the lifting and handling on road and rail of a weight equal to 50,000,000 tons.

IT SHATTERS OUR MORAL STRENGTH: its temptations to women involve grave danger to children and anxiety to thousands of soldiers.

The serious facts concerning the effects of drink on our forces have been known since the early days of the war, and military and naval officials appointed to investigate them pressed strongly for instant decision. During the eighteen months since then the government appointed the Board of Control, but its work, successfully socially, has had little effect in the great industries on which our armies rely. Here the terrible truth of eighteen months ago is still terribly true; the men in the trenches are betrayed by an enemy at home. After all that has been done, the loss of time on the Clyde is reduced from 20 to 19 per cent; men earning a good week's wage in half a week abandon work for drinking, and those men who give their best to the nation, striving nobly to undo the injury of their weaker comrades, are powerless in this cruel grip. It is not drunkenness alone, however, but the constant sapping of one's energies by alcohol, that endangers our supplies of munitions.

Nearly two years have passed since the King banished this source of national weakness from his household; since engineers, manufacturers of explosives, admirals, directors of naval equipment, urged the government to banish it from the nation; since the Director of Transports appealed for the withdrawal of all drink licenses for the sake of the army and navy; and since the Shipbuilders' Federation declared that "with the total abolition of drink the work would go with a swing, and you would get as fine work in our yards and shops as in the trenches.

Yet the alcohol brake is still on our workshops.

As it is impossible to estimate the disastrous naval, military, social and economic consequences of alcohol in this crisis, so it is impossible to exaggerate the good results of its removal. In towns under the Control Board, chiefs of police are glowing in their praise of peaceful towns and quiet streets at night; the London Sessions following the adoption of the order were the shortest ever known, and several prisons have been closed since the Board began its work. Yet, though the general drinking hours have been suddenly cut down to two short periods a day, there has been no serious complaint, and we commend this as proof of the readiness of the people to accept war restrictions and to share in a common sacrifice.

We are convinced that the dangers confronting us arise from the sudden possession of abundant wages rather than from a lack of patriotic feeling; untrained in spending or in thrift, large numbers of our workers waste their reserves in drink. The greatest good a government can render to its

people is to strengthen their right purposes and weaken the power of their temptations, and there lies upon us now the double duty of protecting our people from the temptation to drink away their earnings, and of protecting the state from the intolerable folly of high war wages turned to the advantage of our enemies.

With the resources of the nation taxed to their utmost, the waste of £500,000 (sterling) a day on alcohol is a fact of pitiful significance. With their high wages our people dig pits of sorrow instead of building up reserves of power and independence; children die faster of neglect, and a city missionary has forty appeals from the trenches to look after wives "going wrong" through drink.

If it is said we need the revenue the state derives from alcohol, the answer lies in these things. No nation can make a profit from such a trade as this. But the fear of revenue is shattered by the noble action of our allies and dominions; of Russia, which has prohibited vodka; of France, which has prohibited absinthe and the sale of spirits to women, soldiers and young people; and of parts of our dominions, especially in Canada, where the sale of alcohol is rapidly disappearing, followed by the closing of prisons and the quickening-up of life.

Russia, wanting strength and money too, has found both in prohibition. The saving power of her people has risen from shillings to pounds. The banks that received £180,000 (sterling) in January before the war, received in January, 1915, £5,600,000 (sterling), and in January, 1916, £12,000,000 (sterling). The industrial efficiency of Russia has increased by 30 per cent, and an increase of 10 per cent in our efficiency would replace our revenue from drink.

But against all considerations of financial sacrifice must be set the threatened loss of our mercantile supremacy at sea. Unless we can replace our lost ships, our supremacy is doomed, and victory in the field must find us bereft of the chief factor of our national prosperity. The cargoes carried for the drink trade by our war time ships have been about 2,000,000 tons, and the same cause that reduces our shipping reduces our capacity for repairing and replacing our lost carrying power at sea. The contemplation of these things while neutral nations are building fleets must give rise to the gravest apprehension.

More serious still is the peril of the child-life of the state. It is perishing faster than in times of peace. Our brave ally, France, with the enemy almost at the gates of Paris, won for itself the enduring distinction of the lowest infant death rate ever recorded in its capital. What Paris can do can be done in our towns if the same patriotic devotion be shown by our own people, and if all removable dangers be removed. Chief among these dangers is alcohol.

No source of weakness under our control is so widespread; none is more vital to the safety of the state in war and its welfare in peace. But the dangers of alcohol are tenfold now. The prevalence of venereal disease among one-tenth of our urban population, its special danger to child-life, and the anxiety with which we must contemplate its wide extension as one of

the terrible gifts of peace, impose upon us an increasing responsibility. In 1912 over 270,000 working days were lost in the navy from this cause, and 216,000 days in the army; and the Royal Commission has urged that a decrease of drinking would be an important factor in the decrease of this far-reaching cause of national decay.

It is not to be questioned that in all these causes for apprehension, alcohol is the greatest single factor that can be controlled. It is not to be questioned that the nation has readily approved the halfway step to prohibition that has already been taken. It is our profound conviction that the next step must be taken before the strength of Britain can be thrown effectively into the arena on which our liberties depend. No nation can be at full strength with such a factor in its midst.

We are no temperance reformers as such. We stand for the great desire of all good people to strike the mightiest blow for freedom of which Britain is capable. We support the demand for prohibition made to the government by its own investigators, and by the shipbuilders' deputation, with not a teetotaler among them, in March, 1915. Believing in the Prime Minister's words, that "no sacrifice is too great when freedom and honor are at stake," and that rich and poor alike should bear it, we ask the government to withdraw all drink licenses throughout the Kingdom for the period of the war.

We believe a golden moment has arrived for our country; that, prepared for sacrifice by the example of the King and Lord Kitchener, the nation is ready for the natural step that France and Russia have already taken; the suspension of the liquor traffic during the war, the conversion of the public houses into houses of refreshment, will quicken up our civil and fighting populations, will raise a new fire of resolution in our people, and will give to millions the first opportunity they have ever had of breaking old habits of weakness and forming new habits of strength.

We believe that in this, as in all other vital issues, there must be sympathy of purpose and unity of action between the Allied nations; and we appeal to the government to be bold and trust our people, to be strong and follow our allies, to be worthy of the mighty destinies they hold in solemn trust.

This appeal was signed by vast numbers of influential persons representing the British army and navy, the controllers and directors of the munitions of war, the Privy Council, both houses of Parliament, representatives of the public services, trade, commerce and industry, artists, educators, physicians, scientists, musicians and dramatists, as well as the representatives of all phases of social service.

One of the most significant publications which the liquor agitation produced was first issued under the title *Defeat* by Mr. Arthur Mee and J. Stuart Holden. The first edition of 100,000

copies was sold in twenty days. It was a very severe and uncompromising attack upon the government for its negligence in the matter of liquor control. A storm of protest arose, however, against the title of the pamphlet, namely, *Defeat*. It was feared that it presented too dark a picture and that it might weaken the morale of the nation. Accordingly, a second edition was produced called *Defeat or Victory*, in which the alternative was at least presented, though the argument still went to show that the continued destruction of man power through drunkenness, and of food through manufacture of the material that makes men drunk, were both working toward defeat. As a bit of effective pamphleteering, it has had few, if any, equals during the present war. A list of the chapter headings will give some indication as to its scope. The method, however, is that of an emotional appeal rather than of strictly scientific argument. After making due allowance for exaggeration and effective phrase making, there is little in the argument that is contrary to the findings of scientific students. One of the joint authors of this book, Mr. Arthur Mee, is said by the *New York Times* to be the most energetic and influential prohibitionist in England. In another work entitled *The Fiddlers*, he states that during the week ending May 19, 1917:

1. Submarines destroyed 27 British cargoes, mostly over 1,600 tons. Brewers destroyed 27 British *food* cargoes, totaling 9,000 tons.
2. The granaries of Canada were crammed with wheat waiting for British ships. The rum quay at London docks were crammed with casks of rum, but a ship arrived with 1,000 casks more.
3. A woman was fined five pounds for destroying a quartern loaf. Brewers were fined nothing for destroying millions of loaves.
4. Poor people waited in queues to buy sugar in London. Cartloads of sugar were destroyed in London breweries.

To keep up the bane, the government acts as follows:

1. It tells Parliament that no more rum is to be imported and goes on importing rum for years ahead.
2. It forbids the use of spirits less than three years old and reduces the three years to eighteen months.
3. It restricts beer to 10,000,000 barrels and tells us one day that it is all-inclusive and the next that the Army Council can order as much extra beer as it likes.

4. It says hops are not food, and gives up hundreds of thousands of feet to shipping them; 23,000 cubic feet the other week.

5. It tells us not an inch of shipping is wasted, and wastes shipping on brewers' vats from America and gin to Africa.

Mr. Mee *denies* the following statements by Kennedy Jones:

1. That only five per cent of malt can be mixed with flour for bread.
2. That barley destroyed would give the nation only ten days' bread.
3. That munitions workers are dependent on beer.

These are quoted as examples of the kind of propaganda which was being carried on in favor of the more drastic policy of liquor control. On the other hand, there was considerable protest against government interference with the ancient and honorable trade of manufacturing and selling liquor.

In the *New York Times* for April 30, 1915, is an article stating that the clergy comprising the Lower House of the Convocation of Canterbury were willing to set an example of abstinence, but were not willing to abstain entirely from alcohol; that the Lower House passed a "resolution inviting the clergy and laity of the Church of England to set an example of self-sacrifice" in the matter of alcoholic liquors; and that several members voted only after being assured that total abstinence was not expected of them.

The *New York Times* for May 1, 1915, says that Lloyd George's proposal to increase the duty on alcoholic drinks is protested from all parts of the country, and his proposals "have received little support outside the immediate government circles." It says that temperance advocates are dissatisfied because total prohibition was not proposed, while distillers, brewers, saloon and hotel keepers have held meetings of protest, and in many places have decided upon an immediate increase in prices. Ireland is particularly disturbed, since she thinks that an adoption of Lloyd George's proposals would spell ruin to brewers, licensed traders and farmers who have sown barley in large quantities this year.

On May 4 the *Times* states that the Allied Brewery Trades Association, composed of those trades which supply machinery

and other materials to brewers, adopted resolutions at a meeting in London condemning Lloyd George's plan for restricting the liquor trade. The resolutions say that the plan is designed to satisfy only the extreme prohibition faction and "has none but political objects, against which we will protest with every means in our power." It states further that the retail liquor dealers in London have united in a protest against the proposed increased taxation on spirits, wines and beers. They claim drunkenness has decreased in London during the war and that "it would be an act of the grossest injustice to penalize its millions of inhabitants because in some distant parts of the country the conduct of a few workers is complained of."

In the *Fortnightly Review* for May, 1915, Mr. H. J. Jennings says that the United Kingdom spends £100,000,000 a year on beer and £50,000,000 on spirits, while wine and cider account for about £12,000,000; that the annual revenue from alcoholic drinks — import, manufacture and sale — is £72,000,000; that Russia has lost over £70,000,000 a year because of prohibition, just when her war expenditure was £2,000,000 daily; that England's heavy taxes on beer and spirits are threatening the existence of the liquor industry, and that added taxes will destroy it and remove a great source of revenue to the government.

In an article on "Drink and the War," in the *Nineteenth Century* magazine for May, 1915, Mr. Lathbury says that it is not proven that drinking has held back the production of munitions, but that this condition is due rather to industrial causes and shortage of labor resulting from enlistments; that "the real cause of the scarcity of munitions is probably the unwillingness or inability of the government to treat labor for military purposes as *one great whole*"; that a British man had a right to drink when he feels like it, and that "a compulsorily sober England will not be a free England!" He also states that prohibiting wines would only injure the revenue of France who is our ally.

The *Alliance News* for December, 1915, says that on November 26 a great demonstration of the liquor retailers was held in the London Pavilion to protest against the Control Board's new

order for London. The chairman complained that any attempt to alter the hours of "this ancient and useful trade" should be fought out on the floor of the House of Commons. Secondly, the Board was partial. Thirdly, the Board's action constituted undue and petty interference. He moved this resolution:

This meeting of the Retail Licensed Trade of the Metropolis strongly protests against the drastic new liquor restrictions imposed by the Central Control Board (Liquor Traffic) in the London area, on the grounds that they are unnecessary and unjustifiable; that they are calculated to arouse the indignation and resentment of the masses, who are being deprived of their rights and privileges under cover of the war for no useful purpose whatever; that they involve serious inconvenience and discomfort to all classes at a time of great physical and mental strain when any form of compulsion is all the more objectionable and dangerous; and that they will inflict needless injustice upon a loyal, necessary, and legitimate trade without in any way tending to achieve success in the great national struggle in which our empire is engaged.

Referring to the order of the Board restricting the liquor traffic in the London area, the same issue of the *Alliance News* says that on November 26 a trade union deputation calls on the Central Control Board. One delegate says, "I have heard the expression used on buildings by men who have sons fighting at the front that there are a number of vacant lamp posts in Whitehall. That is an expression of opinion, but if this order does become operative, it is going to engender a feeling stronger than that!" Whereupon the members of the Board smiled! Another delegate said, "I, for one, feel so strongly over this that if we have got to have it, and if the resistance results in my being led to gaol, I am willing to go. I promise you, in that event, unless you lock us all up, one of the most tremendous agitations that ever convulsed this metropolis. . . . Speaking for many thousands in this country, as well as myself, I say to you: By God, we will give you the hardest and bitterest fight you have ever had before we submit to your abominable despotism."

Lord D'Abernon replied in very courteous terms. He regretted that "the speeches had been rather barren of practical suggestions." He said the measures were not punitive, but calculated to increase efficiency, and that the Board did not intend

to *close* the public houses, but only to restrict hours of sale. He said:

In no single area where these orders, or orders similar to them, have been in force has there been a single voice of protest from any worker; and, I think, if you will inquire, you will find that the large majority of the steady workmen in those areas welcome the order enthusiastically.

He concluded:

It is quite out of our power to meet you on the general withdrawal of the order. That is out of the question. But the Board have always been, and are, ready to consider sympathetically any special exemptions or arrangements that may be necessary, and that can be shown to be just and fair to the general interest in order to meet the abnormal conditions of particular trades.

In the *Fortnightly Review* for January, 1916, Mr. H. J. Jennings quotes police court figures to prove that the greatest per cent of intemperance does not exist among munition workers. He admits, however, that his figures are not conclusive. He claims that increased sobriety will cover only the cost of less revenue from excise duties, and concludes by saying that added restrictions on the industry will ruin it and the taxpayers will have to make good the loss, that beer is a food and necessary, and that drunkards form only a very small per cent of the workers.

The *New York Times* for February 16, 1916, says that the movement for "practical prohibition during the war" will receive little support from the established Church, according to the Convocation of the Archbishop of Canterbury held in London February 15, 1916; that the House favors "moderation and self-denial" but not prohibition. It also quotes from Athelstan Riley, a prolific writer on religious topics, to the effect that drink reformers always go too far, and that alcohol itself is not an evil, being one of the "good creatures of God," and only evil when used to excess.

CHAPTER III

What Was Done by the Government—The Repression of Drunkenness

The conditions described in Chapter I and the agitated state of the public mind as described in Chapter II made it necessary that the government should do something about it. A government which is responsible to the people can never go very far in the carrying out of any policy, however wise, unless the people are behind it. Whatever the government or its responsible ministers may have thought about the effects of this vast trade in alcoholic liquors upon the efficiency of a nation at war, it must of necessity wait upon public opinion. Public opinion, however, as expressed through its constituted organs, the newspapers, seems to have been very much divided. So many contradictory opinions were expressed as to make it well nigh impossible to forecast its real verdict upon the question of liquor control. The only thing which seemed clear was that the government must do *something* about it.

The machinery of legislation in England is such as to prevent hasty action and insure thorough consideration, giving people of every shade of opinion an opportunity to express themselves and to make their influence felt.

In such a crisis as that which was thrust upon England in August, 1914, however, the fate of the nation depended upon prompt action. How to secure promptness and at the same time preserve responsibility to the people was a question of the utmost importance. Parliament was too large a body to act promptly; besides, parliamentary debates are not only long winded but calculated to acquaint the enemy with the internal conditions of the country. As on all such occasions, the problem was solved by giving unusual powers to some administrative office or organization, such as the King in Council or to the Privy Council, as it

is generally known. In such cases the Privy Council is, in theory, empowered to take such measures upon the prescribed topics as seem to it wise. In fact, it is the Cabinet representing the party in power which acts, though it acts in the name of the King in Council.

In the following pages we shall attempt to trace various steps in the development of liquor control by the British Government.

War was declared on August 4, 1914. On the same day was issued a Defense of the Realm Proclamation calling upon all loyal subjects to obey and conform to all instructions and regulations which might be issued by the government or the Admiralty or Army Council or any officer of the navy or army, for securing the public safety and the defense of the realm.

Four days later, August 8, Parliament passed the first of a series of Defense of the Realm Acts conferring upon the King in Council power to issue regulations for securing public safety and the defense of the realm.

The first of the regulations authorized by this act which were directed toward the control of the drink trade was issued August 12. Section 7 reads:

The competent naval or military authority may by order require all premises licensed for the sale of intoxicating liquor within or in the neighborhood of any defended harbor to be closed except during such hours as may be specified in the order.¹

This was extended on November 28, 1914, as follows:

The competent naval or military authority may by order require all *or any* premises licensed for the sale of intoxicating liquor within any area specified in the order to be closed except during such hours *and for such purposes* as may be specified in the order, *either generally or as respects the members of any of his Majesty's forces mentioned in the order*, and if the holder of the license in respect of any such premises fails to comply *with the order, he shall be guilty of an offense under these regulations*, and the competent naval or military authority may cause such steps to be taken as may be necessary to enforce compliance with the order.²

¹ From "The Defense of the Realm Regulations," 1914, as contained in the *Manual of Emergency Legislation* to September 30, 1914, page 147.

² From "The Defense of the Realm (Consolidation) Regulations," 1914, Section 10, as contained in *Manual of Emergency Legislation*, Supplement 2, page 107.

The additions are italicized.

The next stage in the development of legislative control was the enactment on August 31, 1914, of what is known as the Intoxicating Liquor (Temporary Control) Act, 1914, giving the licensing justices power to suspend the license of any retailer, and to stop the consumption of liquor in any club, whenever it was deemed necessary for the maintenance of order and the suppression of drunkenness.

The act reads as follows:

INTOXICATING LIQUOR (TEMPORARY RESTRICTION) ACT,
1914¹

An Act to enable orders to be made in connection with the present war for restricting the sale or consumption of intoxicating liquor. (31st August, 1914.)

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. (1) The licensing justices for any licensing district may, if they think fit, upon the recommendation of the chief officer of police that it is desirable for the maintenance of order or the suppression of drunkenness in any area, by order direct that the sale or consumption of intoxicating liquor on the premises of any persons holding any retailers' license in the area, and the supply or consumption of intoxicating liquor in any registered club in the area, shall be suspended while the order is in operation, during such hours and subject to such conditions or exceptions (if any) as may be specified in the order:

Provided that, if any such order suspends the sale, supply, or consumption of intoxicating liquor at an hour earlier than nine at night, the order shall not have effect until approved by the Secretary of State.

(2) If any person acts in contravention of, or fails to comply with, any order under this section he shall be liable on summary conviction in respect of each offense to a fine not exceeding fifty pounds. If any person feels aggrieved by a conviction under this section he may appeal therefrom to quarter sessions in accordance with the Summary Jurisdiction Acts.

(3) The licensing justices shall have power to make an order under this section at their general annual licensing meeting or at any special sessions held by them for the purpose of their duties under the Licensing (Consolidation) Act, 1910, or at any meeting specially called for the purpose under this act.

¹ 4 & 5 Geo. V, c. 77, page 390.

The clerk to the licensing justices shall specially call such a meeting if an application in writing is made to him for the purpose either by any two of their number or by the chief officer of police for the district.

(4) In the application of this section to the county of London the committee of the compensation authority appointed under section six of the Licensing (Consolidation) Act, 1910, shall be substituted for the licensing justices.

2. (1) In this act the expression "retailers' license" means any of the retailers' licenses specified in the First Schedule to the Finance (1909-1910) Act, 1910, and the expression "chief officer of police"—

(a) with respect to the city of London, means the Commissioner of the City Police; and

(b) elsewhere in England, has the same meaning as in the Police Act, 1890.

(2) In the application of this act to Scotland, the Secretary for Scotland shall be substituted for the Secretary of State, and the licensing court shall be substituted for the licensing justices, and the general half-yearly meeting of the court, or any adjournment thereof, shall be substituted for the general annual licensing meeting; "sheriff-depute" shall be substituted for "chief officer of police"; the reference to an appeal to quarter sessions shall not apply; "summary conviction" means summary conviction in the sheriff court; "intoxicating liquor" means excisable liquor, and "retailers' license" means certificate as defined in Part VII of the Licensing (Scotland) Act, 1903.

(3) In the application of this act to Ireland the Lord Lieutenant shall be substituted for the Secretary of State, and the expression "licensing district" means, as respects the police district of Dublin metropolis, that district, and elsewhere in Ireland the petty sessions district. The expression "chief officer of police" means, as respects the police district of Dublin metropolis, either of the commissioners of police for that district, and elsewhere in Ireland, a district inspector of the Royal Irish Constabulary, and the expression "licensing justices" means, as respects the police district of Dublin metropolis, the Recorder of the city of Dublin, and, as respects any other licensing district, two or more justices at petty sessions.

(4) This act may be cited as the Intoxicating Liquor (Temporary Restriction) Act, 1914.

(5) This act shall remain in force during the continuance of the present war, and for a period of one month after the close thereof.

The third stage in the government control of the liquor trade was reached when Parliament gave the Council, that is, in effect, the Cabinet, a free hand to deal with the question as it saw fit. The various Defense of the Realm Acts had been consolidated on November 27, 1914. On May 19, 1915, that act was ex-

tended so as to give the Council power specifically to issue regulations for the control of the trade in intoxicating liquor.

The following is a text of the act:

AN ACT TO EXTEND THE DEFENSE OF THE REALM
CONSOLIDATION ACT, 1914¹

(19th May, 1915)

STATE CONTROL OF LIQUOR TRADE IN CERTAIN AREAS

1. (1) Where it appears to his Majesty that it is expedient for the purpose of the successful prosecution of the present war that the sale and supply of intoxicating liquor in any area should be controlled by the state, on the ground that war material is being made or loaded or unloaded or dealt with in transit in the area or that men belonging to his Majesty's naval or military forces are assembled in the area, his Majesty has power, by Order in Council, to define the area and to apply to the area the regulations issued in pursuance of this act under the Defense of the Realm Consolidation Act, 1914, and the regulations so applied shall, subject to any provisions of the order or any amending order, take effect in that area during the continuance of the present war and such period not exceeding twelve months thereafter as may be declared by Order in Council to be necessary in view of conditions connected with the termination of the present war.

(2) His Majesty in Council has power to issue regulations under the Defense of the Realm Consolidation Act, 1914, to take effect in any area to which they are applied under this act:

(a) for giving the prescribed government authority, to the exclusion of any other person, the power of selling or supplying, or controlling the sale or supply of, intoxicating liquor in the area, subject to any exceptions contained in the regulations; and

(b) for giving the prescribed government authority power to acquire, compulsorily or by agreement, and either for the period during which the regulations take effect, or permanently, any licensed or other premises or business in the area, or any interest therein, so far as it appears necessary or expedient to do so for the purpose of giving proper effect to the control of the liquor supply in the area; and

(c) for enabling the prescribed government authority, without any license, to establish and maintain refreshment rooms for the supply of refreshments (including, if thought fit, the supply of intoxicating liquor) to the general public or to any particular class of persons or to persons employed in any particular industry in the area; and

(d) for making any modification or adjustment of the relations be-

¹ Public General Acts 5 & 6 Geo. V, page 79.

tween persons interested in licensed premises in the area which appears necessary or expedient in consequence of the regulations; and

(e) generally, for giving effect to the transfer of the control of the liquor traffic in the area to the prescribed government authority, and for modifying, so far as it appears necessary or expedient, the provisions of the acts relating to licensing or the sale of intoxicating liquor in their application to the area.

(3) Any regulations made before the passing of this act under the powers conferred by any act dealing with the Defense of the Realm as respects the restriction of the sale of intoxicating liquor are hereby declared to have been duly made in accordance with those powers.

SHORT TITLE

2. This act may be cited as the Defense of the Realm (Amendment) (No. 3) Act, 1915.

It will be observed that this act gave the "King in Council," that is, in effect the Cabinet, power by Order in Council, to regulate the liquor traffic in certain prescribed areas and on certain specified grounds. It will be further noticed that the "Council" (the Cabinet) was not compelled to act directly in the matter but might act through "the prescribed government authority." This prescribed government authority might be empowered by the Cabinet

(a) to take over the liquor business as a government monopoly within prescribed areas.

(b) to take possession of any property or premises used in the liquor business.

(c) to run refreshment rooms.

(d) to modify the terms of the existing regulations applying to the liquor trade.

(e) to do practically anything else necessary to give effect to this control or regulation.

The prescribed government authority was not named in the act. The Council (Cabinet) was apparently left free to empower some existing branch of the government to take over the control of the liquor business, or to create a new branch for that purpose. It chose the latter alternative and created a board which is officially known as the Central Control Board (Liquor Traffic). Hereafter in this monograph it will be called the Board.

The text of the Order in Council creating this Board follows:¹

THE DEFENSE OF THE REALM (LIQUOR CONTROL)
REGULATIONS, 1915

1915. No. 552

At the Court at Buckingham Palace, the 10th day of June, 1915
Present,

The King's Most Excellent Majesty in Council

Whereas, By the Defense of the Realm Consolidation Act, 1914, his Majesty in Council has power during the continuance of the present war to issue regulations for securing the public safety and defense of the realm; and

Whereas, By the Defense of the Realm (Amendment) (No. 3) Act, 1915, his Majesty in Council has power to issue regulations under the first-mentioned act, to take effect in any area to which they are applied under the said Amendment Act, for the purposes of the control by the state of the sale and supply of intoxicating liquor within the area; and

Whereas, For the purpose of increasing directly or indirectly the efficiency of labor in such areas, and preventing the efficiency of labor in such areas from being impaired by drunkenness, alcoholism, or excess, it is expedient to make such regulations as are hereinafter contained;

Now, therefore, his Majesty is pleased, by and with the advice of his Privy Council, to order, and it is hereby ordered, that in every area to which these regulations are applied by an Order in Council made under the Defense of the Realm (Amendment) (No. 3) Act, 1915, the following provisions shall have effect:

1. The prescribed government authority shall be a Board to be called the Central Control Board (Liquor Traffic) hereinafter referred to as "the Board," consisting of a chairman and such persons as the Minister of Munitions may from time to time appoint.

The quorum of the Board shall be such as the Board may determine, and the Board may regulate their own procedure, and no act or proceeding of the Board shall be questioned on account of any vacancy in the Board.

The Board may sue and be sued, and shall have an official seal which shall be officially and judicially noticed, and such seal shall be authenticated by any two members of the Board or the Secretary to the Board.

The Board may appoint a secretary and such officers, inspectors and servants for the purpose of these regulations as the Board, subject to the approval of the Treasury as to number, may determine.

Every document purporting to be an order or other instrument issued by the Board and to be sealed with the seal of the Board authenticated in manner provided by these regulations, or to be signed by the Secretary to the Board or any person authorized by the Board to act on behalf of the Secretary, shall be received in evidence and be deemed to be such an order or instrument without further proof unless the contrary is shown.

¹ In the *Manual of Emergency Legislation*, Supplement 4, page 167.

Any property acquired by the Board shall be vested in such two or more members of the Board as the Board may appoint to act as trustees on their behalf for the purpose, and upon the death, resignation, or removal of a trustee the property vested in that trustee shall, without conveyance or assignment, and whether the property is real or personal, vest in the succeeding trustees either solely or together with any surviving or continuing trustees, and, until the appointment of succeeding trustees, shall so vest in the surviving or succeeding trustee only; and in all legal proceedings whatsoever concerning any property vested in the trustees the property may be stated to be the property of the trustees in their proper names as trustees for the Board without further description.

2. For the purposes of the control of the sale and supply of intoxicating liquor in any area, the Board may by order—

(a) direct that any licensed premises or club in the area in which intoxicating liquor is sold by retail or supplied shall be closed either for all purposes or for the purpose of such sale or supply;

(b) regulate the hours during which any such premises or clubs are to be or may be kept open distinguishing, where it is so determined, between the hours during which the premises are to be or may be kept open for such sale or supply as aforesaid, and the hours during which they are to be or may be kept open for other purposes, and any such order shall have effect notwithstanding anything in the law relating to licensing or the sale of intoxicating liquor;

(c) prohibit the sale by retail or supply of any specified class or description of intoxicating liquor in any licensed premises or club in the area;

(d) provide that the sale by retail or supply of intoxicating liquor in any licensed premises or club in the area shall be subject to such conditions or restrictions as may be imposed by the order;

(e) regulate the introduction of intoxicating liquor into the area and the transport of intoxicating liquor within the area;

(f) require the business carried on in any licensed premises in the area to be carried on subject to the supervision of the Board;

and any such order may include such incidental and supplemental provisions as appear to the Board necessary for the purpose of giving full effect to the order, and may be made applicable to all licensed premises and clubs within the area or any specified class or description of such premises and clubs, or to any particular premises or club.

If any person contravenes the provisions of any such order, or any conditions or restrictions imposed thereby, he shall be guilty of a summary offense against the Defense of the Realm (Consolidation) Regulations, 1914.

3. The Board may by order prohibit the sale by retail, or the supply in clubs or licensed premises, of intoxicating liquor within the area, or any part thereof specified in the order, by any person other than the Board, and if any person contravenes or fails to comply with the order he shall, without prejudice to any other penalty, be guilty of a summary offense against the Defense of the Realm (Consolidation) Regulations, 1914.

Provided that the order may except from the provisions thereof any specified class or classes of premises or clubs.

4. The Board may by order make such provisions as they think necessary for the prevention of the practice of treating within the area, and if any person contravenes the provisions of any such order he shall be guilty of a summary offense against the Defense of the Realm (Consolidation) Regulations, 1914.

5. The Board may either themselves or through any agents establish and maintain in the area, or provide for the establishment and maintenance in the area of, refreshment rooms for the sale or supply of refreshments (including, if thought fit, the sale or supply of intoxicating liquor) to the general public, or to any particular class of persons, or to persons employed in any particular industry in the area.

6. Where the Board consider that it is necessary or expedient for the purpose of giving proper effect to the control of the liquor supply in the area, they may acquire compulsorily or by agreement, either for the period during which these regulations take effect or permanently, any licensed or other premises in the area, or any interest in any such premises:

. Provided that the Board may, in lieu of acquiring any interest in such premises, take possession of the premises and any plant used for the purposes of the business carried on therein for all or any part of the period during which these regulations take effect, and use them for the sale or supply of intoxicating liquor or for the purpose of any of the other powers and duties of the Board.

7. Where the Board determine to acquire compulsorily any premises or any interest therein, they shall serve on the occupier of the premises and, if any person other than the occupier will be affected by the acquisition of the interest proposed to be acquired, also on any person who appears to the Board to be so affected, notice of their intention to acquire the premises, or such interest therein as may be specified in the notice, and where such a notice is served, the fee simple in possession of the premises or such interest in the premises as aforesaid shall, at the expiration of ten days from the service of the notice on the occupier, by virtue of these regulations vest in the trustees for the Board, subject to or freed from any mortgages, rights, and interests affecting the same as the Board may by order direct.

On any premises or any interest therein becoming so vested in the trustees for the Board the trustees may—

(a) if the title to the premises is registered under the Land Registry Act, 1862, or the Land Transfer Acts, 1875 and 1897, enter a caveat or caution to prevent their estate or interest from being impaired by any act of the registered proprietor; and

(b) if the premises are situate in an area where registration of title is compulsory lodge a caution against registration of the premises; and

(c) if the premises are within the jurisdiction of the acts relating to registration of assurances in Middlesex and Yorkshire register in Middlesex a memorial of the notice, and in Yorkshire an affidavit of vesting against the name of every person whose estate or interest is affected, and in Middlesex any such notice shall be deemed a conveyance.

A copy of the minutes of the Board to the effect that a notice has been served in accordance with this regulation, certified by the secretary to the Board, or by any person authorized by the Board to act on behalf of the secretary, to be a true copy, shall be evidence that the premises or interest therein mentioned in the minutes have become vested in the trustees for the Board.

8. Where the Board consider that it is necessary or expedient for the purpose of giving proper effect to the control of the liquor traffic in the area they may, by the like procedure, acquire any business (including stock in trade) carried on in any premises within the area, whether or not they take possession of or acquire the premises in which such business is carried on, or any interest in the premises.

9. The Board may, without any license (whether justices' or excise, and whether for the sale of intoxicating liquor or otherwise), carry on in any premises occupied by them any business involving the sale or supply of intoxicating liquor, refreshments or tobacco, and for that purpose shall not be subject to any of the provisions of the law relating to licensing, or to any restrictions imposed by law on persons carrying on such business.

Any person appointed by the Board to conduct any business on their behalf shall have, to such extent as they may be conferred by the Board, the same powers as the Board of carrying on business without a license, but all such persons shall in all other respects, except in such cases and to such extent as the Board may otherwise order, be subject to the statutory provisions affecting the holders of licenses, and the occupiers of premises licensed, for any such business as aforesaid, in like manner as if they were the holders of the appropriate licenses, and to any restrictions imposed by law on persons carrying on any such business as aforesaid.

10. The Board shall have power, on any premises in which business is carried on by them or on their behalf, to provide or authorize the provision of such entertainment or recreation for persons frequenting the premises as the Board think fit, and where such provision is made or such authority is given no license shall be necessary, and no restrictions imposed by law on the provision of the entertainment or recreation in question shall apply, except to such extent, if any, as the Board may direct.

11. Arrangements may be made by the Board with the Postmaster General and any other person for affording postal and banking facilities on or near premises in which business is carried on by or on behalf of the Board to persons frequenting such premises.

12. Where, by any conditions or restrictions imposed by the Board on the sale of spirits, the sale of any spirit is prohibited unless the strength of the spirit is reduced to a number of degrees under proof which falls between such maximum and minimum limits as may be specified, or where by any order of the Board the sale of spirit so reduced is permitted, section six of the Sale of Food and Drugs Act, 1879, shall within the area have effect, as respects that spirit, as if the maximum number of degrees under proof so specified were substituted for the number mentioned in that section.

13. All obligations under covenant, contract, or otherwise, to which the

holder of a license or the occupier of licensed premises is subject, and which the provisions of these regulations or any action of the Board taken thereunder make it impossible for him to fulfil, or which are inconsistent with any conditions or restrictions imposed by the Board, shall be suspended so long as such impossibility or such conditions or restrictions continue, and shall not be binding during that period.

14. Where by virtue of any action taken by the Board under these regulations the holder of any license is temporarily prevented from carrying on his business as the holder of such license, the license shall be suspended, and the holder thereof shall be entitled to such repayment or remission of excise duty as he would have been entitled to had the license been permanently discontinued, and at the expiration of the period during which the disability continues the license, if a justices' license, shall revive and have effect as if it had been granted for the then current licensing year, and a person who was the holder of an excise license which has been suspended shall be entitled to take out an excise license on payment of such an amount in respect of excise duty as would have been payable by him had he commenced to carry on business at the expiration of that period.

Provided that if during the period for which any license is so suspended a contingency occurs upon which a transfer of the license might have been granted but for the suspension, a transfer may be granted either—

(a) at the time at which, and to a person to whom, a transfer might have been granted had the license not been suspended; or

(b) after the expiration of the period to any person to whom a transfer might have been granted had the contingency occurred immediately after the expiration of the period.

Where a license for the sale of intoxicating liquor is so suspended, the holder of the license may, during the period of suspension, without further license continue to carry on in the premises in respect of which the suspended license was granted any business, other than the sale of intoxicating liquor, which had the suspended license not been suspended he would have been entitled to carry on by virtue of that license, but the premises shall be deemed to be duly licensed for the carrying on of such other business.

15. An excise license may, notwithstanding anything in the law relating to licensing, be granted as respects any premises in the area on the authority of a certificate from the Board, and any excise license so granted shall be valid in all respects, and, subject to the provisions of these regulations, the law relating to the holders of justices' licenses shall apply to the holders of such certificates as if such a certificate was a justices' license.

No such conditions need be attached to the grant of any such certificate as must be attached to the grant of a new justices' on-license.

16. Any powers conferred on the Board by these regulations may, if the Board by resolution so determine, be exercised on behalf of the Board by any persons whom the Board may appoint for the purpose.

17. In addition to the powers expressly conferred on them by these regulations, the Board shall have such supplemental and incidental powers

as may be necessary for carrying into effect the purposes of these regulations.

18. Any inspector or other person authorized by the Board shall have power to enter, if need be by force, and inspect any licensed premises within the area, and any club or other premises within the area where he has reason to believe that intoxicating liquor is sold by retail or supplied, to demand the production of and to inspect and take copies of or extracts from any books or documents relating to the business carried on therein, and to take samples of any intoxicating liquor found therein.

19. If any person obstructs or impedes any inspector or other person acting under the instructions or authority of the Board, or refuses to answer any question reasonably put to him by any such inspector or person, or makes or causes to be made any false statement to any such inspector or person, or refuses to produce any document in his possession which he is required by any such inspector or person to produce, he shall be guilty of a summary offense against the Defense of the Realm (Consolidation) Regulations, 1914.

20. If any person attempts to contravene, or induces or attempts to induce any other person to contravene, any provision of these regulations or any order made thereunder, or any conditions or restrictions imposed by the Board, he shall be guilty of a summary offense against the Defense of the Realm (Consolidation) Regulations, 1914.

21. A person guilty of a summary offense against the Defense of the Realm (Consolidation) Regulations, 1914, is liable to be sentenced to imprisonment with or without hard labor for a term not exceeding six months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine, and if the court so orders, to forfeit the goods in respect of which the offense is committed.

22. No person shall be liable to any penalty under the law relating to licensing or the sale of intoxicating liquor in respect of any action taken by him if such action is taken in pursuance of any order made or instructions given by the Board.

23. The Board before acquiring any licensed premises or club or an interest therein, or taking possession of any licensed premises or club, shall give notice of their intention to the Commissioners of Customs and Excise, and where the Board carry on or appoint or authorize any person to carry on any business involving the sale or supply of intoxicating liquor they shall furnish to the Commissioners of Customs and Excise particulars as to the nature of the business to be carried on by him, and as to any person so appointed or authorized, and any other particulars required by the Commissioners.

24. It shall be the duty of the police to enforce these Regulations, and any orders of the Board made thereunder.

25. These regulations shall apply to Scotland subject to the following modifications:

References to real or personal property shall be construed as references to heritable and movable property respectively; "intoxicating liquor" shall mean "excisable liquor"; "fee simple in possession" shall mean

"estate of the proprietor or lessor"; "mortgage" shall mean "heritable security"; and a reference to a justices' license shall be construed as a reference to a certificate as defined in Part VII of the Licensing (Scotland) Act, 1903.

In any case where under these regulations the Board acquire or determine to acquire compulsorily any premises or any interest therein, a person transacting on the faith of any register of sasines with the proprietor or lessor of such premises or with any other person whose title is recorded in such register shall (notwithstanding anything in these regulations contained) not be affected by any notice served by the Board or any vesting following thereon unless a certified copy of such notice has been recorded in the register of inhibitions prior to the completion of such transaction.

For the purpose of enabling the trustees for the Board to complete a title if thought fit to any heritable property or estate compulsorily acquired by the Board and vested in the trustees by virtue of these regulations, by expediting a notarial instrument or otherwise, these regulations shall be deemed to be and (without prejudice to any other method of completion of title) may be used as a general disposition or assignment of such property or estate in favor of the trustees.

26. In the application of these regulations to Ireland, the expression "excise license" includes any license for the sale of intoxicating liquor granted by an officer of excise, and the expression "justices' license" includes any certificate of a recorder, justice, or justices required for the grant of an excise license.

27. For the purposes of these regulations—

The expression "sale by retail" means sale other than sale to trader for the purposes of his trade.

The expression "supply" in relation to intoxicating liquor means supply otherwise than by way of sale.

The expression "licensed premises" includes any premises or place where the sale of intoxicating liquor is carried on under a license.

28. The regulations may be cited as the Defense of the Realm (Liquor Control) Regulations, 1915.

ALMERIC FITZROY.

The first report of the Central Control Board (Liquor Traffic), hereafter called the Board, was issued October 12, 1915. Since it had only been created by an Order in Council of the 10th of June, this report could only be fragmentary and its conclusions tentative. In fact, the full personnel of the Board was not published in this report. It was to consist of a chairman and such persons as the Minister of Munitions might from time to

time appoint. Lord D'Abernon was chairman and Mr. J. C. G. Sykes was Secretary. The second report, dated May 1, 1916, gives the full personnel at that date:

CONSTITUTION OF BOARD

Lord D'Abernon, K. C. M. G., Chairman
 Major the Hon. Waldorf Astor, M. P.
 Mr. W. Waters Butler (appointed January, 1916)
 Rev. Henry Carter (appointed January, 1916)
 Mr. Neville Chamberlain (resigned February, 1916)
 Mr. E. Richard Cross
 Colonel John M. Denny
 Mr. John Hodge, M. P.
 Sir William H. Lever, Bart.
 Sir George Newman, M. D.
 Mr. John Pedder, C. B.
 Mr. R. R. Scott, C. S. I.
 Mr. Philip Snowden, M. P.
 Mr. W. Towle
 Mr. J. C. G. Sykes, C. B., Secretary.

ASSESSORS TO THE BOARD

For England and Wales—Mr. E. C. Sanders, Clerk to the Liverpool Justices.

For Scotland—Sir Thomas Munro, Clerk to the Lanark County Council.

The legislative steps toward an effective control of the liquor trade in war time may be summarized as follows:

1. An Order in Council of August 12, 1914, authorizing the competent naval or military authority to close premises licensed for the sale of liquor in the neighborhood of any defended harbor.

2. The Intoxicating Liquor (Temporary Restriction) Act, August 31, 1914, authorizing the licensing justices to suspend any license when they deemed it necessary for the maintenance of order.

3. The act of Parliament known as the extension of the Defense of the Realm Consolidation Act, dated May 19, 1915, empowered the Cabinet by Order in Council to take such measures as seemed wise.

4. An Order in Council, dated June 10, 1915, created the Central Control Board (Liquor Traffic) to exercise control in such areas as it should select.

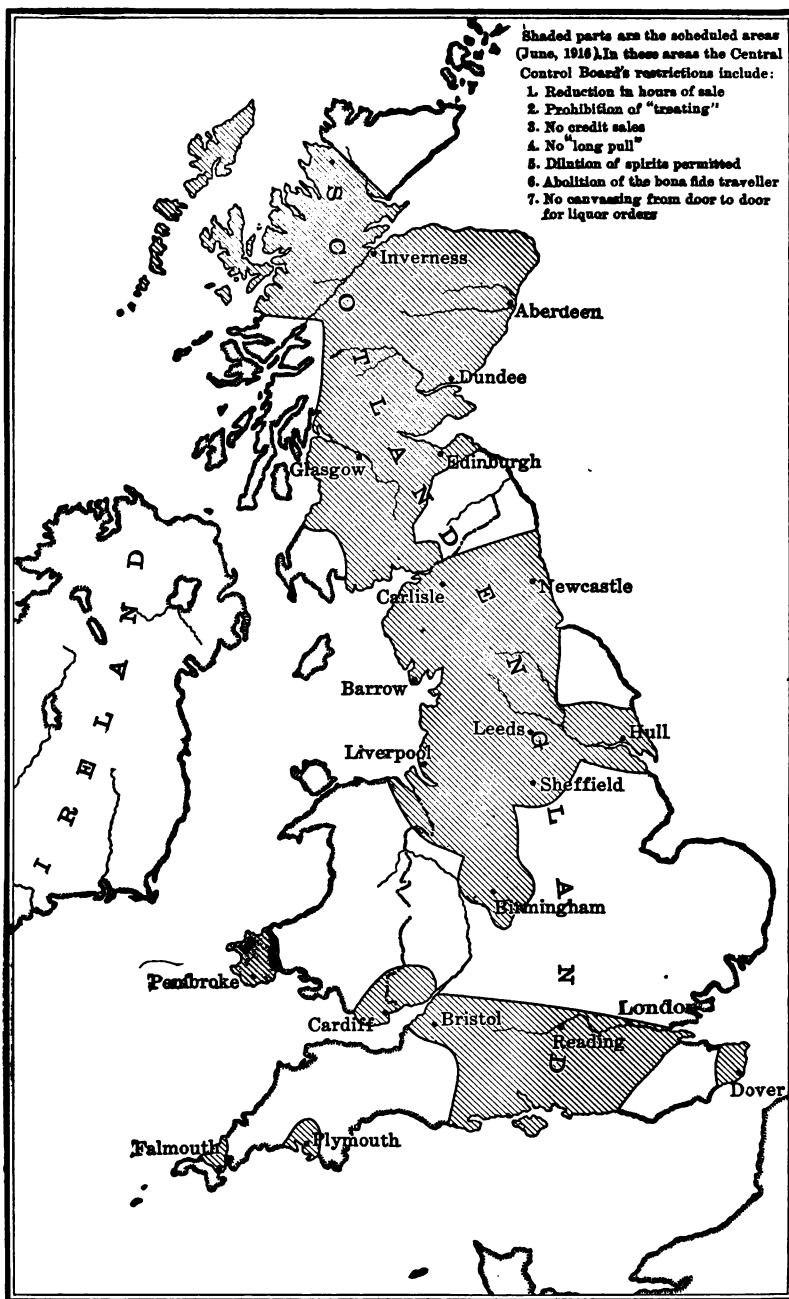
5. The regulations issued from time to time by this Board were the effective means of control. From this time on, the matter was virtually in the hands of the Board, though it always acted under the authority of the Council, and in some cases merely made recommendations to the Council, which then issued an Order in Council giving effect to the recommendations.

By July 6, 1915, the Board had satisfied itself that action was called for in ten areas in England and Wales. On that date an Order in Council was issued defining these areas and bringing them under the regulations of the Board. These regulations are known as "Liquor Control Regulations."¹ Two Scotch areas were added on July 28, a third on September 14 and the London area on September 24. The following is a list of the areas named in the first report of the Board as having been placed under its regulations:

Area	Date of Order	Commencement of Order
Newhaven	15th July	26th July
Southampton	22d "	2d August
Barrow-in-Furness	22d "	2d "
Dartford District	26th "	6th "
Northeast Coast	30th "	10th "
Bristol and Avonmouth	30th "	10th "
Liverpool and Mersey District.....	5th August	16th "
Newport	7th "	18th "
Cardiff		
Barry		
Scotland, West Central	12th "	23d "
Scotland, East Central	12th "	23d "
Scotland, Northern	17th September	27th September
London	1st October	11th October

It must be remembered that the Board was expected to use large discretionary powers. In the first place, it was to regulate

¹ See First Report of the Central Control Board (Liquor Traffic), London, October 12, 1915.



From the "Pioneer", Toronto, Canada.

the liquor trade only in such areas as seemed to need control for the reasons specified in the act of Parliament authorizing control. In the second place, it was to apply only such regulations in each area as the local conditions seemed to require. A different set of regulations could, if thought desirable, be applied to each area.

The orders issued were, however, with the exception of that for London, all framed on the same general plan, though not in all respects identical. The main provisions were the restriction of the hours of sale and the elimination of treating. It was thought that drunkenness resulted largely from the cumulative effects of drinking when continued over long hours. When men began drinking early in the day and continued occasionally until late at night the physiological and moral effects were likely to become intensified beyond reasonable limits. Accordingly the places of sale were to be closed except for short periods in the middle of the day and in the early evening. Treating, especially the treating of soldiers and sailors, though indulged in from the very best of motives, was likely to result in excessive drinking. When a large number of patriotic citizens desired to show their good will by treating a soldier, it was hard for him to avoid showing his appreciation by accepting their hospitality. But the good will of those who did the treating, and the politeness of the soldier could not prevent the physiological effects of alcohol from showing themselves.

The following is a part of the text of the order:

(1) The sale or supply of intoxicating liquor, whether for consumption on or off the premises, is ordinarily restricted to two and a half hours in the middle of the day, and to three (or, in some cases, two) hours in the evening, the sale of alcohol thus being prohibited before 12 noon and throughout the afternoon between 2:30 and 6 or 6:30 P.M.

(2) In addition, the sale or supply of spirits for consumption is prohibited in the evenings and on Saturdays.

(3) "Treating" and credit sales are, subject to certain minor exceptions, absolutely prohibited.

(4) Clubs, as well as licensed premises, are made subject to the restrictions.

(5) Licensed premises are permitted to open for the purpose of the supply of nonalcoholic drink and of solid refreshment at an early hour in

the morning, so as to meet the interests of men proceeding to their work, and they are allowed to remain open for this purpose in the hours during which they are prohibited by the Board's order from selling intoxicating liquor.

(6) Permission is given to dilute spirits to 35 degrees under proof only, as allowed by the general law.

In the case of London, the Board, on the urgent representations of the military authorities, have issued an order prohibiting "treating" and permitting the dilution of spirits to 45 degrees under proof in the case of gin and to 35 degrees under proof in the case of other spirits. The question of the restriction of hours, and other matters usually dealt with by the Board's orders, are being carefully considered with a view to the special requirements of London.¹

In the second report of the Board a more detailed order, dated February 17, 1916, is published.

HOURS DURING WHICH INTOXICATING LIQUOR MAY BE SOLD²

A. For Consumption ON the Premises

2. (1) The hours during which intoxicating liquor may be sold or supplied in any licensed premises or club for consumption on the premises shall be restricted and be as follows:

On Weekdays:

The hours between 12 noon and 2:30 P.M., and between 6 P.M. and 9 P.M.

On Sundays:

The hours between 12:30 P.M. and 2:30 P.M., and between 6 P.M. and 9 P.M.

Except between the aforesaid hours no person shall—

(a) Either by himself or by any servant or agent sell or supply to any person in any licensed premises or club any intoxicating liquor to be consumed on the premises; or

(b) Consume in any such premises or club any intoxicating liquor; or

(c) Permit any person to consume in any such premises or club any intoxicating liquor.

B. For Consumption OFF the Premises

(2) The hours during which intoxicating liquor may be sold or supplied in any licensed premises or club for consumption off the premises shall

¹ From the First Report of the Central Control Board (Liquor Traffic), London. October 12, 1915. Pages 4 and 5.

² Second Report of the Central Control Board (Liquor Traffic), appointed under the Defense of the Realm (Amendment) (No. 3) Act, 1915; 1st May, 1916, pages 10 *et seq.*

(subject to the additional restrictions as regards spirits) be restricted and be as follows:

On Weekdays:

The hours between 12 noon and 2:30 P.M., and between 6 P.M. and 8 P.M.

On Sundays:

The hours between 12:30 P.M. and 2:30 P.M., and between 6 P.M. and 8 P.M.

Except between the aforesaid hours no person shall—

(a) Either by himself or by any servant or agent sell or supply to any person in any licensed premises or club for consumption off the premises or (except as hereinafter expressly provided) dispatch therefrom any intoxicating liquor; or

(b) Take from any such premises or club any intoxicating liquor; or

(c) Permit any person to take from any such premises or club any intoxicating liquor.

ADDITIONAL RESTRICTIONS AS TO SPIRITS

3. In addition to the above general restrictions as to hours during which intoxicating liquor may be sold or supplied, the sale and supply of spirits in licensed premises and clubs shall be subject to the following special restrictions, that is to say:

(a) No orders for spirits to be consumed off the premises shall be given by or accepted from any person actually present in any licensed premises or club except on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, and during the hours between 12 noon and 2:30 P.M.

(b) Spirits to be consumed off the premises must not (except as hereinafter expressly provided) be dispatched from any licensed premises or club, nor must they be taken therefrom by the person to whom they are sold or supplied or by any person acting on his behalf, except on the days and during the hours aforesaid.

(c) Spirits to be consumed off the premises shall not be sold or supplied in or taken from any licensed premises or club in any bottle or other vessel not bearing a label showing the name and situation of the premises or club, or in any vessel of a capacity less than one reputed quart, or in any less quantity than one reputed quart, or in any open vessel.

(d) No spirits to be consumed off the premises shall be sold or supplied in or taken from any refreshment room in any railway station.

CONDITIONS AS TO DISTRIBUTION

4. No person shall either by himself or any servant or agent—

(a) Sell, supply, distribute or deliver any intoxicating liquor from any van, barrow, basket or other vehicle or receptacle unless before the

liquor is dispatched it has been ordered and the quantity, description and price thereof together with the name and address of the person to whom it is to be supplied has been entered in a delivery book or invoice, which shall be carried by the person delivering the liquor, and in a day book which shall be kept on the premises from which the liquor is dispatched.

(b) Carry or convey in any van, barrow, basket or other vehicle or receptacle while in use for the distribution or delivery of intoxicating liquor, any such liquor not entered in such delivery book or invoice and day book.

(c) Distribute or deliver any intoxicating liquor at any address not specified in such delivery book or invoice and day book.

(d) Refuse to allow any constable to examine such van, barrow, basket or other vehicle or receptacle or such delivery book or invoice.

(e) Authorize or permit any person employed to deliver, distribute or take or solicit orders for intoxicating liquor to receive or make any payment in respect of intoxicating liquor, or, being a person so employed, receive or make any such payment on behalf of any other person, or, being so engaged on his own behalf, receive any such payment. Provided that nothing in this paragraph shall affect the receipt of money paid at the licensed premises.

HOURS OF OPENING FOR THE SUPPLY OF FOOD AND NONINTOXICANTS

5. Notwithstanding any provisions of this Order or of the Law relating to licensing or the sale of intoxicating liquor:

(a) Licensed premises may be opened for the supply of food and nonintoxicating liquor at the hour of 5:30 in the morning on all days, and be kept open for this purpose from that hour until the evening closing hour prescribed by the general provisions of the Licensing Acts; and

(b) Refreshment houses may be kept open for this purpose at any time during which they may be kept open under the general provisions of the said acts.

SAVING PROVISIONS

6. Nothing in the foregoing provisions of this order shall be deemed to prohibit in cases where the same is otherwise lawful:

(a) The consumption of intoxicating liquor by any person in any licensed premises or club where he is residing; or

(b) The consumption of intoxicating liquor at a meal by any person in any licensed premises or club at any time within half an hour after the conclusion of the afternoon and evening hours during which the sale or supply of intoxicating liquor is permitted by this order; Provided that the liquor was sold or supplied and served during such hours at the same time as the meal and for consumption at the meal; or

(c) The sale or supply of spirits to any person producing a certificate in writing dated and signed by a duly qualified medical practitioner

that the spirits are immediately required for medicinal purposes and specifying the quantity of spirits required. Provided that the quantity sold or supplied shall not exceed the quantity specified in such certificate; or

(d) The dispatch from licensed premises for delivery at a place more than five miles distant of any spirits or other intoxicating liquor in the forenoon of any day on which the sale of the same for consumption off the premises is permitted by Article 2 (2) and Article 3 of this order, as the case may be.

TREATING PROHIBITED

7. No person shall either by himself or by any servant or agent sell or supply any intoxicating liquor to any person in any licensed premises or in any club for consumption on the premises unless the same is ordered and paid for by the person so supplied; nor shall any person order or pay for or lend or advance money to pay for any intoxicating liquor wherewith any other person has been or is to be supplied for consumption on the premises; nor shall any person consume in any licensed premises or club any intoxicating liquor which any other person has ordered or paid for or agreed to pay for or lent or advanced money to pay for.

Provided always that if such intoxicating liquor is supplied or served for consumption at a meal supplied at the same time and is consumed at such meal the provisions of this regulation shall not be deemed to be contravened if the person who pays for such meal also pays for such intoxicating liquor.

For the purposes of this regulation consumption on the premises includes consumption of intoxicating liquor in or on any highway, open ground or railway station adjoining or near to the licensed premises or club in which the liquor was sold or supplied; and any person consuming intoxicating liquor in or on any such highway, open ground or railway station shall be deemed to consume the liquor in such licensed premises or club as the case may be.

CREDIT PROHIBITED

8. No person shall—

(1) (a) Either by himself or by any servant or agent sell or supply in any licensed premises or club or dispatch therefrom any intoxicating liquor to be consumed either on or off the premises; or

(b) Consume any intoxicating liquor in or take it from such premises or club; unless it is paid for before or at the time when it is supplied or dispatched or taken away.

Provided always that if the liquor is sold for consumption at a meal supplied at the same time and is consumed at such meal, this provision shall not be deemed to be contravened if the price of the liquor is paid together with the price of such meal and before the person partaking thereof quits the premises.

(2) Introduce or cause to be introduced into the area any intoxicating liquor unless it is paid for before it is so introduced.

9. No person shall either by himself or by any servant or agent in any licensed premises or club sell or supply to any person as the measure of intoxicating liquor for which he asks an amount exceeding that measure.

DILUTION OF SPIRITS

10. The sale of whisky, brandy and rum reduced to a number of degrees under proof which falls between 25 and 50, and of gin reduced to a number of degrees under proof which falls between 35 and 50, is hereby permitted, and accordingly, in determining whether an offense has been committed under the Sale of Food and Drugs Acts by selling to the prejudice of the purchaser whisky, brandy, rum or gin not adulterated otherwise than by the admixture of water it shall be a good defense to prove that such admixture has not reduced the spirit more than 50 degrees under proof.

EXPLANATORY PROVISIONS

11.

(a) Nothing in this order authorizes any licensed premises to be kept open for the sale of intoxicating liquor except during the hours permitted under the general provisions of the Licensing Acts.

(b) The prohibition under this order of the sale, supply and consumption of intoxicating liquor except during certain hours is not subject to the exceptions provided for in the Licensing Acts with respect to *bona fide* travelers and the supply of intoxicating liquor at railway stations or any other provisions in those acts enabling intoxicating liquor to be supplied during closing hours in special cases.

(c) The expression "licensed premises" includes any premises or place where the sale of intoxicating liquor is carried on under a license.

(d) This order does not affect the sale or dispatch of intoxicating liquor to a trader for the purposes of his trade or to a registered club for the purposes of the club.

(e) This order does not affect the sale or supply of intoxicating liquor to or in any canteen where the sale of intoxicating liquor is carried on under the authority of a Secretary of State or of the Admiralty.

REVOCATION OF PREVIOUS ORDERS FOR THE SOUTHAMPTON AND THE PORTSMOUTH AREAS

12. This order shall be substituted for the orders of the Central Control Board (Liquor Traffic) made respectively on the 22nd day of July, 1915, and the 11th day of November, 1915, for the Southampton and the Portsmouth Areas, which said orders are hereby revoked.

EXHIBITION OF THE ORDER

13. The secretary of every club to which this order applies and every holder of a license for the sale of intoxicating liquor shall keep permanently affixed in some conspicuous place in the club or in each public room in the licensed premises a copy of this order and any notice required by the Board to be affixed.

COMMENCEMENT OF ORDER

14. This order shall come into force on the twenty-eighth day of February, 1916.

The restriction of the hours of sale and the elimination of treating were followed later by the establishment of canteens and also by direct control of drinking places. Sections 5, 6 and 7 of the Order in Council creating the Board (see pages 68 to 76 of this monograph) specifically gave the Board power to maintain refreshment rooms and places for the sale of both food and liquor, and to acquire the necessary property for the carrying on of this business, even, if necessary, to the exclusion of all other persons.

The need for proper places where workers "might obtain thoroughly good and cheap hot and cold dinners and other properly prepared refreshments at moderate prices" soon thrust itself upon the attention of the Board. This need was caused, in part, by the great concentration of workers in certain areas, where accommodations had not previously been provided. Other agencies, however, had been at work supplying the need. First, there was the canteen established by the employer himself, secondly, private agencies or philanthropic societies were active. But the Board itself had, at the time of the publication of its second report (May 1, 1916) provided two canteens in places where the circumstances were said to be somewhat exceptional. In addition it had exercised supervision over those established by other agencies and in many cases it has rendered financial assistance.

In the third report of the Board (published April 30, 1917) announcement was made of a progressive development of policy in several particulars. The progressive dilution of spirits was carried much further than had been allowed by prewar legislation. The Sale of Food and Drugs Acts of 1875 and 1879, which are analogous to the Pure Food Laws of the United States, provided that spirits other than gin should not be sold at a lower strength than 25 degrees under proof without notice

to the purchaser, and, in the case of gin, not lower than 35 degrees under proof.¹

In the orders issued February 17, 1916 (see above) permission was given to dilute to 50 per cent under proof. By an order issued June 6, 1916, it was provided that spirits should not be sold having a maximum strength of more than 25 per cent under proof and on February 1, 1917, the maximum was further reduced to 30 per cent under proof. Thus, instead of exercising its authority to prevent dilution below a certain minimum, the Board was beginning to compel dilution.

The same change of policy took place with respect to beer. By an order which came into force on the 10th of July, 1916, permission was given to sell beer containing not more than 2 per cent of proof spirit during all hours of the day from 9 A.M. until the evening closing hour, and not simply during the hours within which stronger liquors were permitted to be sold.

The Board's policy with respect to industrial canteens has constantly developed during the war. It is impossible to say to what extent the reasons back of this policy are sound or based on accurate, scientific evidence. The Board states: "It is a matter of *common* knowledge and experience that the absence of proper facilities for obtaining wholesome and sufficient nourishment frequently leads directly or indirectly to drinking habits with all their resultant evils." If there is anything which a scientific student must learn to distrust, it is the so-called *common knowledge and experience*. It is usually a euphemism for a statement "I prefer to assume that thus and so is true." There is probably as much scientific evidence for the opinion that too much good food leads to drinking as for the opinion that inadequate food leads to drinking, which is the same as saying that there is no reliable evidence in favor of either proposition.

Aside from its bearing on the drink question, there is no

¹ Proof spirit is composed of 49.28 per cent alcohol and 50.72 per cent water (by weight). Spirit 25 degrees under proof contains 75 per cent proof spirit or 35.91 per cent pure alcohol. Spirit 35 degrees under proof contains 31.85 per cent pure alcohol. Spirit 50 degrees under proof contains 23.49 per cent pure alcohol. See Second Report of the Central Control Board (Liquor Traffic), page 14.

doubt that the human body must be properly nourished and that its health and working capacity depends somewhat on the question of nourishment. This in itself would furnish a sufficient reason for the efforts of the Board to improve the facilities for feeding the working population, and its bearing on the drink question might very properly serve as a legal excuse.

Even though the provisions made by the Board for feeding the factory workers were not physiologically superior to those which were otherwise provided, the psychology of the situation is a thing which would have to be considered. If it is the general opinion that existing provisions are inadequate and the Board could provide conditions which met with general approval, the psychological situation would be undoubtedly improved and this would doubtless have some effect on physiology. The Board states, Third Report, page 10,

It must be admitted that the circumstances and conditions of his life, both at home and in the factory, have not infrequently combined to prevent him from obtaining such a food supply. He has had to depend upon food brought with him from home—in some cases to be warmed up at the factory, and in other cases to be consumed cold—or upon food, unsuited to his needs, obtained near his place of work. Both these methods are unsatisfactory.

Doubtless the Board had some specific evidence to show that food brought from home and warmed up in the factory or in other cases consumed cold was unsatisfactory. There is nothing, however, in the mere statement of the case that sounds convincing. In general, there is just as much evidence to show that food consumed when sitting at a table is improper and unsatisfactory as there is to show that food carried in a tin pail and consumed cold is unsuitable and unsatisfactory. These questions are raised at this point not for the purpose of clearing up any technical problems in dietetics, but to show how large a part opinion, psychology, or even demagoguery must play in the speeding up of industry and in getting work done in war time.

Again, the Board found that neither the public house nor the ordinary restaurant could fully meet the demands of indus-

trial life under war conditions. One can not help being suspicious that this finding was not based so much on technical dietetics as on the general feeling of the people that if the government was doing something for them in the way of providing eating places, it was more deserving of their enthusiastic support in industry than it would otherwise be.

Two other agencies, however, as stated above, were already at work and providing for this need, but the enthusiasm of the employer as well as of the philanthropic agencies needed to be encouraged. The philanthropic agencies sometimes had difficulty in raising the necessary funds by voluntary subscription. The Board found it advisable to help in the financing of these agencies. It therefore obtained authority from the Treasury to pay grants in aid to approved voluntary societies up to one-half of their capital expenditure on canteens for munition and transport workers.

Even this method, however, proved inadequate. Public subscriptions fell off, partly, it is to be presumed, because of the heavy taxation and the large number of calls upon people for philanthropic contributions. There was also the feeling that the munition manufacturer, to whose advantage it was to have work speeded up and carried on effectively, should finance the canteens. At any rate, the voluntary system proved inadequate, and yet it seemed desirable to keep alive these philanthropic enterprises. The Board reached the conclusion that these voluntary societies could best be utilized by employing them to manage canteens, erected and equipped by employers.

The next question was to induce employers to undergo the necessary cost. Under the Munitions of War Act, practically all manufacturers of munitions in the wide meaning of that term in modern warfare, were to receive only their standard prewar profits plus one-fifth, all excess profits above this to be paid into the national Treasury. With profits so rigidly limited, the employers would naturally be somewhat reluctant to undertake the additional expense of providing canteens. A way out of the difficulty was found by allowing employers to

charge the cost of the canteen to the running expenses of the establishment. Since this reduced by an equal sum the amount of excess profits which they would have to pay into the Treasury, it virtually meant the public financing of the canteens. The Board has developed an expert staff of inspectors and advisers to cooperate with employers and philanthropic agencies in the maintenance of these canteens. At the time of the publication of the third report, it had under its supervision 570 canteens in establishments employing a total of 800,000 workers. Most of these canteens were what are known as "temperance" or "dry" canteens, in which no intoxicants are supplied. In a few cases, however, the Board have made special orders providing that no intoxicating liquor shall be supplied except beer, and limiting the amount to be supplied to each person to one pint to be consumed with a meal. Certain canteens have also been licensed for the sale of beer containing less than two per cent, proof spirit. The Board enumerates the following exceptional conditions as justifying the experiment of industrial canteens:

(a) The concentration of munition work in well defined areas resulting in congestion of population and imposing upon the workers the necessity of traveling long distances to their work;

(b) the establishment of large and important factories in isolated places;

(c) the employment of women;

(d) the employment of men and women at night. [Third Report, page 12.]

The establishment of canteens had very little to do with drink control except indirectly. In so far as the belief was justified that proper food, served under proper condition, would reduce the demand for drink, the establishment of canteens might be called a temperance measure. At most, however, this could have little influence on the sale of drink in the regular public houses. The Board, therefore, found it necessary in certain areas to assume direct control of the regular selling agencies. At the time of the Board's second report, it had already established direct control in the area surrounding the Gretna National Explosives Factory. But it was found that large numbers of the men employed in this factory were housed in the city of

Carlisle, and even those not housed there were in the habit of resorting to that city on holidays. This created a situation which seemed to require action on the part of the Board. Such a vast increase in the adult male population, most of which was made up of highly paid workmen receiving unusual wages, naturally had the effect of increasing drunkenness. The Board states that the average convictions per week in the autumn of 1915 was five, but that they had risen to an average of 42 per week in June, 1916. It was of little use apparently to exercise strict control over liquor selling in the Gretna area so long as these conditions existed in the city of Carlisle.

Somewhat drastic action was decided upon. The Board purchased the whole undertakings of the Carlisle breweries, and gradually acquired the licensed premises for the sale of drink, 119 of which were in the city of Carlisle and 82 in the surrounding districts. Thus the Board itself has definitely gone into the liquor business, not only selling, but manufacturing. Having complete control of the business, however, it is able to eliminate some of the worst features and to take measures for the reduction of excessive drinking. There is no advertising, no selling of spirits for consumption on the premises to persons under the age of 18, and beer is sold to such persons only if taken with a meal. Steps were also taken to discourage the practice of drinking beer and spirits mixed. The number of houses in which spirits were sold for consumption off the premises were reduced from over 100 to 17. Naturally a good many readjustments had to be made and a very effective system of supervision had to be organized. The sale of spirits has been prohibited and a number of drinking places have been closed.

CHAPTER IV

What Was Done by the Government—The Conservation of Food Materials

The first stages in the government control of the liquor trade were all connected with the problem of drunkenness or of inefficiency and loss of time due to drink. During the first two years of the war this was the only phase of the question which the government had thought it necessary to consider. There had, it is true, been some public discussion of the question of the waste of food materials in the manufacture of alcoholic drinks, but the food shortage had not become sufficiently acute to force this question upon the attention of Parliament or the Council. By the end of the second year, however, this question could no longer be ignored. Liquor control legislation therefore entered upon a new phase. From this time forward the questions of drunkenness and inefficiency were less prominent, both in popular discussion and in government action, than the question of food conservation. The German U-boats had made a sufficient impression on the shipping, and the danger of a genuine food shortage through the cutting off of imports was great enough to compel attention. The waste of food materials in the manufacture of potable alcohol was so great and so apparent that no amount of sophistry and claptrap could divert the public mind from its serious consideration.

In addition to the obvious necessity of conserving food, the English people had to consider the state of mind in Canada and the United States where prohibition sentiment is much stronger than in England. Since England had to depend largely upon North America for her supplies of grain, she could not consistently ask the American people for large quantities to be used for purposes which they did not approve. The disloyal and pro-

German elements in our population were not slow to take advantage of this situation in order to create sentiment either hostile to or indifferent toward food conservation. To be sure, the brewing interests were largely in the hands of Germans. Most of these, however, were loyal to the United States and had no unpatriotic motive for opposing shipments of grain to our allies. Even those Germans who were disloyal could not accomplish much by openly opposing the saving of food, because their motives would have been suspected. But the same thing could be accomplished in different ways. Even reasonably loyal people whose interest in prohibition was stronger than their interest in the successful issue of the war, kept asking why we should deprive ourselves of the food we liked in order to send it abroad to be made into intoxicating liquor. Even though they forgot that we as a country were not yet out of our glass house and were therefore not in a position to throw stones, and even though they forgot that wheat which we were being asked to send to the Allies was not used in the manufacturing of liquor, still, this kind of questioning had its influence on public opinion and hindered the work of our Food Administration.

On August 3, 1916, almost exactly two years after war was declared, Parliament passed the first of a series of acts restricting the production of alcoholic liquor in the United Kingdom. It reduced the annual output of the breweries to 26,000,000 barrels. The annual production before this had been approximately 36,000,000 barrels.

The following is the text of the act:

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

1. (1) A brewer shall not brew at his brewery or breweries during the first three-quarters to which this act applies more than the aggregate maximum barrelages for those quarters as determined for the purposes of this act, and shall not brew at his brewery or breweries in any subsequent quarter to which this act applies more than his maximum barrelage for the quarter as determined for the purposes of this act.

(2) If a brewer acts in contravention of this provision he shall be liable

in respect of each offense to an excise penalty of one hundred pounds, and, in addition, to an excise penalty of two pounds for every barrel of beer brewed by him exceeding the maximum barrelage.

(3) This section shall not apply to brewers other than brewers for sale.

2. (1) The maximum barrelage shall be determined by the Commissioners in the case of each brewery, and shall be, as respects any quarter, the standard barrelage as defined in this section with the addition as respects any quarter after the first quarter of the surplus barrelage as so defined.

(2) The standard barrelage for the purposes of this section shall be—

(a) in the case of a brewery which was working during the corresponding quarter in the year ending the thirty-first day of March, nineteen hundred and sixteen, the number of barrels which appear to the Commissioners to have been brewed at the brewery in that quarter; and

(b) in the case of a brewery which was not working in the corresponding quarter of that year, the number of barrels which appear to the Commissioners to be reasonable having regard to the average number of barrels brewed at the brewery during the time the brewery has been working; and

(c) in the case of any special brewery where the Commissioners are satisfied that, owing to the transfer of a brewing business or any other change in the circumstances of the brewery taking place after the thirty-first day of March, nineteen hundred and fifteen, the standard barrelage as ascertained under the foregoing provisions does not afford a proper standard of comparison or affords no standard of comparison, such number of barrels as the Commissioners think just having regard to the special circumstances of the case, reduced in each case by 15 per cent.

Provided, that if a brewer gives notice to the Commissioners before the first day of August, nineteen hundred and sixteen, that he desires that the foregoing provisions of this section should be applied to his brewery with the substitution of the year ending the thirtieth day of September, nineteen hundred and fourteen, for the year ending the thirty-first day of March, nineteen hundred and sixteen, and of 30 per cent for 15 per cent, those provisions shall be applied to his brewery with those substitutions, subject to the power of his Majesty by Order in Council to withdraw this privilege as from a subsequent date to be fixed by the Order in Council or to substitute any higher percentages pro rata if, at any time after the expiration of six months from the first day of April, nineteen hundred and sixteen, it appears that the rate of the total output of beer in the United Kingdom is not reduced to below a rate of 26,000,000 barrels a year.

(3) If any licensed premises shall, after the thirty-first day of March, nineteen hundred and fourteen, have been or be sold, transferred, mortgaged, or leased to any brewer, the brewer shall be entitled thereafter to supply to the licensed premises the same quantity (less 15 per cent) of beer as has previously been supplied by another brewer the maximum barrelage of that other brewer shall be reduced by the amount of such supply, and the maxi-

imum barrelage of the brewer to whom the premises shall be so sold, transferred, mortgaged, or leased, shall be similarly increased. The transfer of a mortgage on any licensed premises shall be deemed to be a transfer of licensed premises within this section.

(4) For the purposes of this section the surplus barrelage shall be, as respects any quarter, the number (if any) of barrels by which the aggregate number of barrels brewed during the previous quarters to which the act applies is less than the aggregate standard barrelage for those quarters.

3. A manufacturer's license for a brewer for sale shall not after the date of the passing of this act be granted while this act is in operation except to a person holding such a license and for the same premises as those in respect of which the license is held or for premises substituted for those premises.

4. Where the provisions of this act interfere with any contract made by a brewer before the first day of April, nineteen hundred and sixteen, to sell or supply beer or in connection with the delivery of beer, that contract shall be modified so as to conform with the provisions of this act in such manner as may be agreed upon between the parties to the contract, or, in default of agreement, determined in England by arbitration, in accordance with the Arbitration Act, 1889, in Scotland by a single arbiter to be appointed by the sheriff, and in Ireland in accordance with the Common Law Procedure Amendment Act (Ireland), 1856, and for the purposes of that act, but subject to any agreement of the parties to the contrary, this provision shall have effect in like manner as a submission to arbitration by consent authorizing a reference to a single arbitrator and incorporating paragraph (i) of the schedule to the Arbitration Act, 1889.

5. (1) Any license holder, in so far as he is not bound by any covenant, agreement, or undertaking to obtain a supply of beer from any particular brewer, and who has, at any time during the year ended the thirty-first day of March, nineteen hundred and sixteen, been supplied with beer by any brewer or brewers, shall be entitled, on giving not less than fourteen days' notice in writing, to obtain from such brewer or brewers particulars of the number of bulk barrels of each description of beer supplied and also a certificate or certificates stating the total number of standard barrels represented by the beer supplied during each quarter of the year ended the thirty-first day of March, nineteen hundred and sixteen, or such shorter period as the supply has continued.

(2) The license holder shall, after forwarding any such certificate to the Commissioners, be entitled to obtain, during any corresponding quarter to which this act applies, the same number of standard barrels (reduced by 15 per cent) from any other brewer who may be willing to supply him therewith, and in every such case the maximum barrelage of the brewer ceasing to supply the license holder shall be reduced by the amount stated in the certificate (less 15 per cent), and that amount shall be transferred to the brewer who has undertaken to supply; Provided that where the license holder is himself a brewer for sale the certificate shall not be used to obtain a transfer of barrelage to himself, and that where a certificate forwarded

under this section relates to any quarter in which the license holder is supplied with beer by the brewer from whom he obtained the certificate, the number of barrels which he is entitled to obtain from another brewer, and which are transferred accordingly, shall be reduced by the quantity with which he is so supplied.

(3) In this section the expression "license holder" means the holder of an excise license authorizing the sale of beer whether wholesale or by retail; and includes, where any licensed premises have changed hands, the license holder for the time being; and where any premises on which beer is sold are under the management of the Central Control Board (Liquor Traffic), the Central Control Board, and where the holder of the license is a manager managing the licensed premises on behalf of any other person or a tenant of any other person who controls the ordering of beer for the premises, the person who so controls the ordering of the beer.

(4) This section shall apply to registered clubs as it applies to licensed premises, with the substitution of the person managing the club for the license holder.

(5) Where, during the year ended the thirty-first day of March, nineteen hundred and sixteen, beer has been supplied by any brewer to a canteen held under the authority of the Secretary of State or the Admiralty, the same rights as are conferred under this section upon a license holder shall be exercisable in respect of that beer by the Secretary of State or Admiralty, as the case may be.

6. The Board of Trade may, at the request of the Army Council, grant a special certificate to any brewer in Ireland authorizing him to brew beer in excess of the limits prescribed by this act if the addition is required for the use of military canteens in Ireland, and the amount of beer which that brewer is entitled to brew shall thereupon be increased by the number of barrels stated in the certificate, and this act shall have effect accordingly.

7. In this act, unless the context otherwise requires—

The expressions "brewer" and "brewer for sale" have the same meaning as in the Inland Revenue Act, 1880, and include the Central Control Board (Liquor Traffic), and the expression "beer" has the same meaning as in Part II of the Finance (1909-10) Act, 1910;

The expression "brewery" means premises in respect of which a manufacturer's license to a brewer for sale is in force;

The expression "barrel" means the standard barrel containing thirty-six gallons of beer of original gravity of 1,055 degrees;

The expression "quarter" means the three months commencing on the first day of January, the first day of April, the first day of July, and the first day of October in any year; and

The expression "Commissioners" means the Commissioners of Customs and Excise.

8. This act may be cited as the Output of Beer (Restriction) Act, 1916, and shall apply to the quarter which commenced on the first day of April,

nineteen hundred and sixteen, and to every subsequent quarter which commences during the continuance of the present war.

Output of Beer (Restriction) Act, 1916.

(3rd August, 1916.)

An act to put temporary restriction on the Output of Beer.

From Public General Acts, 6 & 7 George V, 1916. Chapter 26, page 80.

This act was amended in some unimportant details on December 18, 1916, by what is known as the Output of Beer (Restriction) Amendment Act, 1916. Public General Acts 6 and 7 George V, 1916, page 169.

In order to handle the food question in a more efficient manner, Lord Devonport was appointed Food Controller on December 9, 1916. This was an emergency measure, apparently without parliamentary authorization. On December 22, however, an act of Parliament known as the New Ministries and Secretaries Act, specifically authorized the appointment of a Minister of Food to be known as Food Controller. The following is the text of that portion of the act relating to the office in question:

An act for establishing certain new ministries and for the appointment of additional secretaries or under secretaries in certain government departments; and for purposes incidental thereto. (22d December, 1916.)

MINISTRY OF FOOD

3. For the purpose of economizing and maintaining the food supply of the country during the present war, it shall be lawful for his Majesty to appoint a Minister of Food under the title of Food Controller, who shall hold office during his Majesty's pleasure.

4. It shall be the duty of the Food Controller to regulate the supply and consumption of food in such manner as he thinks best for maintaining a proper supply of food, and to take such steps as he thinks best for encouraging the production of food, and for those purposes he shall have such powers or duties of any government department or authority, whether conferred by statute or otherwise, as his Majesty may, by Order in Council, transfer to him, or authorize him to exercise or perform concurrently with, or in consultation with, the government department or authority concerned, and also such further powers as may be conferred on him by regulations under the Defense of the Realm Consolidation Act, 1914, and regulations may be made under that act accordingly. (*Ibid.*, page 220.)

An Order in Council of March 30, 1917, transferred to the Food Controller the powers which had been conferred upon the

Board of Trade by the Output of Beer. (Restriction) Act of 1916.

Now, therefore, etc., it is hereby ordered, as follows:

1. The powers of the Board of Trade under Section 6 of the Output of Beer (Restriction) Act, 1916, as amended by Section 4 of the Output of Beer (Restriction) Amendment Act, 1916, are hereby transferred to the Food Controller.

2. This order may be cited as the Food Controller (Transfer of Powers) Order, 1917.¹

Subsequent restrictions upon the use of food materials in the manufacture of alcoholic liquors were in the form of orders issued by the Food Controller.

First came a series of orders forbidding the making or shipping of malt, except under license by the Food Controller:

THE BREWERS' (MALT PURCHASES) ORDER, 1917²

Dated February 3, 1917

In exercise of the powers conferred upon him by regulation 2f of the Defense of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no maltster or dealer in malt shall on or after the 10th February, 1917, agree to sell any malt to any brewer for sale or make delivery to any brewer for sale of any malt other than malt deliverable under contracts made before that date.

2. Except under the authority of the Food Controller no brewer for sale shall on or after the 10th February, 1917, agree to buy any malt or to take delivery of any malt other than malt deliverable under contracts made before that date.

3. Except under the authority of the Food Controller no brewer for sale shall manufacture any malt from any barley agreed to be bought on or after the 10th February, 1917.

4. For the purposes of this order—the expression “brewer for sale” shall mean any person who brews beer for the use of any other person at any place other than the premises of the person for whose use the beer shall be brewed and any person licensed to deal in wholesale or retail beer who brews beer. The expression “beer” includes ale, porter, spruce beer, black beer, and any other description of beer. The expression “malt” shall mean malt suitable for use in the brewing of beer.

¹ See *Solicitors' Journal*, April 7, 1917, London, page 387.

² Defense of the Realm Manual, Revised to May 31, 1917, page 266, London.

5. Any person acting in contravention of this order is guilty of a summary offense against the Defense of the Realm Regulations.

6. This order may be cited as the Brewers' (Malt Purchases) Order, 1917.
DEVONPORT, *Food Controller*.

THE MALT (RESTRICTION) ORDER, 1917¹

Dated February 20, 1917

In exercise of the powers conferred upon him by regulation 2^r of the Defense of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no person shall manufacture from barley or any other cereals any malt suitable for use in the brewing of beer.

2. This order shall not apply to barley or other cereals steeped at the date of this order.

3. For the purposes of this order, the expression "beer" shall include ale, porter, spruce beer, black beer, and any other description of beer.

4. If any person acts in contravention of this order or aids or abets any other person in doing anything in contravention of this order, that person is guilty of a summary offense against the Defense of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offense against those regulations unless he proves that the contravention took place without his knowledge or consent.

5. This order may be cited as the Malt (Restriction) Order, 1917.

DEVONPORT, *Food Controller*.

By the Malt (Restriction on Shipping) Order, 1917,² dated March 21, 1917, made by the Food Controller under the above regulation, it is provided as follows:

1. Except under the authority of the Food Controller, no person shall export, ship, or consign any malt (a) from Ireland to any destination in any part of Great Britain, the Channel Islands, or the Isle of Man; or (b) from any part of Great Britain to any destination in Ireland the Channel Islands, or the Isle of Man.

2. If any person acts in contravention of this order, or aids or abets any other person in doing anything in contravention of this order, that person is guilty of a summary offense against the Defense of the Realm Regulations, and if such person is a company, every director and officer of the company is also guilty of a summary offense against those regulations, unless he proves that the contravention took place without his knowledge or consent.

The order comes into force on the 26th March, 1917.

DEVONPORT, *Food Controller*.

¹ Defense of the Realm Manual, Revised to May 31, 1917, page 267.

² *Ibid.*, page 271.

THE MALT (RESTRICTION) NO. 2 ORDER, 1917¹

Dated April 12, 1917

In exercise of the powers conferred upon him by Regulation 2^r of the Defense of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. *Manufacture of Malt.*—(a) Except under the authority of the Food Controller no person shall after the date of this order manufacture any malt from any cereals.

2. *Sale and Delivery of Malt.*—No person shall after the date of this order agree to sell any malt, or after the 14th April, 1917, make delivery of any malt except under and in accordance with the terms of a license issued by the Food Controller, or except to a brewer for sale in manner permitted by the Brewers' (Malt Purchases) Order, 1917.

3. *Use of Malt.*—(a) Except under the authority of the Food Controller no person shall after the 14th April, 1917, use any malt for any purpose.

(b) This article shall not apply to a brewer for sale so far as is necessary for enabling him to brew the maximum barrelage permitted to him under the Intoxicating Liquor (Output and Delivery) Order, 1917.

4. *Penalty.*—If any person acts in contravention of this order, or aids or abets any other person, in doing anything in contravention of this order, that person is guilty of a summary offense against the Defense of the Realm Regulations, and if such person is also guilty of a summary offense against those regulations unless he proves that the contravention took place without his knowledge or consent.

5. *Title and Commencement of Order.*—This order may be cited as the Malt (Restriction) No. 2 Order, 1917.

DEVONPORT, *Food Controller.*

Almost simultaneously, March 29, 1917, came a comprehensive order of the Food Controller, amending the Output of Beer (Restriction) Act of 1916. That act had cut down the output of beer from 36 to 26 million barrels. The Food Controller's Order of March 29 reduced it to 10 million barrels.

The text of the order follows:

INTOXICATING LIQUOR (OUTPUT AND DELIVERY) ORDER, 1917

Order of the Food Controller. Dated the 29th day of March, 1917, and made under regulation 2^r of the Defense of the Realm Regulations²

(*Recitals*): Now, therefore, etc., the Food Controller hereby orders as follows:

¹ Defense of the Realm Manual, Revised to May 31, 1917, page 273.

² *Ibid.*, page 291.

I—BEER

1. (1) A brewer for sale shall not brew at his brewery in any quarter more than the maximum barrelage for the quarter as determined under this order.

(2) The maximum barrelage shall be determined for the purposes of this order in the same manner as under the Output of Beer (Restriction) Acts, 1916, except that—

(a) In ascertaining the standard barrelage under Subsection 2 of Section 2 of the Output of Beer (Restriction) Act, 1916, 66½ per cent shall be substituted as the amount of reduction where 15 per cent is under that provision the amount of reduction and 72 per cent shall be substituted as the amount of reduction where 30 per cent is under that provision the amount of reduction; and,

(b) Ten million barrels shall be substituted for twenty-six million barrels as the rate of the total output of beer in the United Kingdom under the proviso to Subsection (2) of Section 2 of that act; and,

(c) In determining the maximum barrelage for the quarter commencing on the first day of April, 1917, or any subsequent quarter, any surplus barrelage accrued in respect of any quarter previous to that commencing on the first day of April, 1917, shall not be taken into account.

(3) Where it appears to the Commissioners of Customs and Excise (hereinafter referred to as the Commissioners) that, owing to the transfer of licensed premises from one brewery to another or for the purpose of meeting any change in the amount of beer required to meet the supply of any localities, it is expedient to transfer barrelage from one brewer to another, the Commissioners may by order make the necessary transfer, and the maximum barrelages of the respective brewers shall be increased or decreased accordingly.

(4) The rights of brewers under Subsection (3) of Section 2 of the Output of Beer (Restriction) Act, 1916, shall be suspended while this order is in force.

(5) If the Food Controller at the request of the Army Council grants a special certificate to any brewer authorizing him to brew beer in excess of the limits prescribed by this order, on the ground that the addition is required for the use of military canteens, the amount of beer which that brewer is entitled to brew shall thereupon be increased by the number of barrels stated in the certificate; and this order shall apply accordingly.

2. (1) The same provision shall be applicable in relation to the effect of this order on contracts as is applicable in relation to the effect of the Output of Beer (Restriction) Act, 1916, on contracts under Section 4 of that act.

(2) License holders, and persons having the same rights as license holders under Section 5 of the Output of Beer (Restriction) Act, 1916, as amended by any subsequent act, shall have the same rights, and brewers shall be under the same obligations, in connection with the output of beer as limited by this order as under the said Section 5, except that the percentage of reduction in the number of standard barrels which a license holder is entitled to obtain under that section and the reduction from the

amount stated in the certificate for the purpose of ascertaining the reduction and transfer of maximum barrelage shall be increased so as to be 63½ per cent instead of 15 per cent.

(3) Any brewer who has not given to a license holder any particulars or certificate which the license holder is entitled to obtain from him under Section 5 of the Output of Beer (Restriction) Act, 1916, shall give the particulars or certificate to the license holder within fourteen days after a request in writing therefor is made by the license holder.

(4) A brewer shall give to a license holder a copy of any certificate which has been obtained from him for the purpose of Section 5 of the Output of Beer (Restriction) Act, 1916, within fourteen days after a request in writing for the copy is made to him by the license holder showing that the certificate originally obtained is either lost or for some other reason not available for use by the license holder.

(5) Where beer has been supplied to a license holder through a person recognized by the brewer as his agent—

(a) The agent shall be under the same obligation to give particulars and certificates of the beer as if he was the brewer; and,

(b) The beer shall be deemed to be beer supplied by the brewer to the license holder, and not by the brewer to the agent.

3. Expressions to which a special meaning is attached by the Output of Beer (Restriction) Act, 1916, have (unless the context otherwise requires) the same meaning when used in this part of the order.

II—WINE AND SPIRITS

4. (1) No wine or spirits shall be delivered from ship's side or warehouse (including a distiller's spirit store) for home consumption on the payment of duty to any person—

(a) Unless he is the holder of an authority for the time being in force under this provision;

(b) In excess of the amount which is authorized to be delivered to him under that authority; and,

(c) Unless particulars as to the warehouse or place from which the wine or spirits are delivered, and of the amount delivered, and of the date of delivery are entered on the authority for delivery.

(2) Authorities for the purposes of this provision shall be issued by the Commissioners in such manner and subject to such conditions as may be prescribed by rules made for the purpose by the Treasury, and the Commissioners shall attach to any authority so issued such conditions as they think fit for ensuring the proper distribution of the wine or spirits authorized to be delivered.

The rules made by the Treasury may provide for the appointment of a committee for the purpose of advising and assisting the Commissioners in the performance of their duties and the exercise of their powers under this part of the order.

(3) Authority shall (except in cases where special directions are given by the Commissioners) be granted only to persons to whom or on whose

behalf wine or spirits were delivered during the year 1916, and so that the total amount delivered to that person during the year beginning on the first day of April shall not exceed the amount delivered to that person during the year 1916 reduced by 50 per cent.

(4) This provision shall not prevent the delivery of spirits in cases where the Commissioners are satisfied that the spirits are—

(a) Spirits delivered to a manufacturing chemist, or to a manufacturer of perfumes, for use in their manufactures; or,

(b) Spirits delivered for scientific purposes; or,

(c) Spirits supplied for the purpose of making medicines, to registered medical practitioners, to hospitals, and to persons, firms, and bodies corporate entitled to carry on the business of a chemist and druggist;

But the Commissioners may attach conditions to the delivery of any spirits for those purposes in order to ensure their use for the purposes for which they are delivered.

(5) A person shall not procure, or attempt to procure, the delivery of wine or spirits in contravention of this provision, or make any entry on an authority which is false in any material particular, or make any statement which is false in any material particular, for the purpose of obtaining any authority under this provision.

Every person shall comply with any conditions attached by the Commissioners to an authority issued by them under this provision, or to the delivery of spirits under this provision.

If it is shown to the Commissioners that any condition attached by them to the issue of an authority under this provision has not been complied with, the Commissioners may, if they think fit, withdraw the authority; but the power of the Commissioners to withdraw the authority shall not prejudice the liability of the holder of the authority to any penalty to which he may be liable for not complying with the condition.

III—GENERAL

5. Infringements of this order are summary offenses subject to penalties under the Defense of the Realm Regulations.

6. This order may be cited as the Intoxicating Liquor (Output and Delivery) Order, 1917.

29th March, 1917.

DEVONPORT, *Food Controller.*

Subsequent orders modified in special ways the foregoing order, permitting an increase in the output of beer of not more than $33\frac{1}{3}$ per cent above the maximum therein prescribed. That is to say, instead of a maximum of 10 million barrels, a maximum of $13\frac{1}{3}$ million barrels was permitted.

The Intoxicating Liquor (Output and Delivery) Order No. 2, 1917, dated 7th July, 1917, made by the Food Controller under Regulations 2F and 2J of the Defense of the Realm Regulations

provides that during the quarter commencing 1st July, 1917, a brewer may increase his maximum barrelage over that authorized by the order of March 25 as follows:

(a) By 20 per cent if he gives such notice and complies with such conditions as are hereinafter mentioned;

(b) By such further amount, if any, as in his case may be authorized by license of the Food Controller. . . .

Provided the aggregate for the whole country shall not exceed that previously permitted by more than $33\frac{1}{3}$ per cent.

The Intoxicating Liquor (Output and Delivery) Order No. 3, 1917, dated 15th October, 1917, made by the Food Controller, continued the provisions of Order No. 2 for another quarter, commencing 1st October. Order No. 5, dated 24th December, 1917, continued the increase for the quarter beginning January 1, 1918.

By the end of 1917 the worst of the food scare was over and the $33\frac{1}{3}$ increase was continued from quarter to quarter.

While, as suggested earlier in this chapter, hops are not food, nevertheless the growing of hops requires land and labor which might otherwise grow food. Without altogether destroying the hop growing industry, which is an important agricultural industry, especially in Kent, it was nevertheless desirable that hop growing should be reduced. In fact, the reduction in the brewing of beer seemed to make it absolutely necessary to reduce the production of hops. On May 19, 1917, a Defense of the Realm Regulation reduced the acreage devoted to hops to 50 per cent of that of 1914, as follows:

Dated May 19, 1917

(1) Subject to the provisions of this regulation, the acreage cultivated with hops on any holding in England or Wales shall, before the 30th day of June, 1917, be reduced to one-half of the acreage on the holding which was so cultivated in the month of June, 1914, and thereafter, so long as this regulation remains in force, the acreage on the holding so cultivated shall never exceed that proportion, and if the occupier of any such holding fails to comply with this provision he shall be guilty of a summary offense against these regulations.¹

¹ Defense of the Realm Regulations, Revised to September 30, 1917, page 12.

(Under exceptional circumstances, the Board of Agriculture and Fisheries may by license suspend this regulation with regard to particular individuals.)

The use of grain, sugar or molasses for the distillation of spirits, except under license by the Minister of Munitions, was prohibited by a Defense of the Realm Regulation of May 10, 1916.¹

30b. After the 28th day of May, 1916, no person shall without a permit issued under the authority of the Minister of Munitions, use or permit to be used, any grain, either malted or unmalted, rice, sugar, or molasses, or any other material which may for the time being be specified in an order issued by the Minister of Munitions, in or for the manufacture or production of whiskey or any other alcoholic spirits, and if any person acts in contravention of this provision, or fails to comply with any condition subject to which a permit under this regulation has been granted, he shall be guilty of an offense against these regulations; and if such person is a company, every director, manager, and officer of the company shall also be guilty of an offense against these regulations, unless he proves that the contravention or failure took place without his knowledge or consent.

Considerable quantities of immature spirits were, of course, stored up in warehouses. It became necessary to regulate their sale, otherwise there would be no necessary diminution in the consumption of spirits until these accumulated stocks were exhausted. Accordingly, the Intoxicating Liquor (Output and Delivery) Order, was issued by the Food Controller on March 29, 1917,² reducing by 50 per cent the quantity of wine and spirits which could be delivered.

The Food Controller, however, took control of the sale of spirituous liquors by forbidding their sale except under license of his office. This was accomplished early in 1918 by two orders, known as the Whiskey (Restriction on Sales) Order, 1918, and the Rum and Gin (Restriction on Sales) Order, dated January 5, 1918, and January 17, 1918, respectively. Since all manufacturing of potable alcohol had been prohibited by a Defense of the Realm Regulation of May 10, 1916, there was no occasion for the Food Controller to exercise any control

¹ Defense of the Realm Manual, Revised to May 31, 1917, page 107.

² See *ante*, page 99.

except over its sale. The accumulated stocks manufactured before May, 1916, and those imported were all that were available for sale.

The following is the text of the orders:

THE WHISKEY (RESTRICTION ON SALES) ORDER, 1918¹

Dated January 5, 1918

1918. No. 12

In exercise of the powers conferred upon him by the Defense of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. No whiskey shall be sold by auction except at an auction sale authorized to be held by the Food Controller.

2. A person shall not, either on his own behalf or on behalf of any other person—

(a) Buy, sell, or deal in; or,

(b) Offer or invite an offer or propose to buy, sell, or deal in; or,

(c) Enter into negotiations for the sale or purchase of or other dealing in any whiskey by way of wholesale sale, wholesale purchase, or wholesale dealing; unless—

(i) He is the holder of an authority granted by the Food Controller authorizing such sale, purchase, or dealing; or,

(ii) He was immediately prior to the 30th September, 1914, a person holding a license to deal in intoxicating liquor by wholesale taken out in pursuance of the Finance (1909-10) Act, 1910; or,

(iii) He is the manufacturer of the whiskey in question.

3. In this order the expression "a wholesale sale" shall mean a sale at any one time to one person of two gallons or more of whiskey, and the expression "wholesale purchase" and "wholesale dealing" shall have corresponding meanings.

4. Nothing in this order shall prevent any person buying for the purposes of retail sale or for the purposes of any club to which Section 48 of the Finance (1909-10) Act, 1910, applies, or a purchase by a person who proves that he is not buying for resale.

5. Infringements of this order are summary offenses against the Defense of the Realm Regulations.

6. This order may be cited as the Whiskey (Restriction on Sales) Order, 1918.

By Order of the Food Controller.

U. F. WINTOUR, *Secretary to the Ministry of Food.*

¹ From Orders of the Food Controller under the Defense of the Realm Regulations, Revised to January 31, 1918, pages 111-112.

THE RUM AND GIN (RESTRICTION ON SALES) ORDER, 1918¹

Dated January 17, 1918

In exercise of the powers conferred upon him by the Defense of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. No rum or gin shall be sold by auction except at an auction sale authorized to be held by the Food Controller.

2. A person shall not, either on his own behalf, or on behalf of any other person—

(a) Buy, sell, or deal in; or,

(b) Offer or invite an offer or propose to buy, sell, or deal in; or,

(c) Enter into negotiations for the sale or purchase of or other dealing in any rum or gin by way of wholesale sale, wholesale purchase, or wholesale dealing, unless—

(i) He is the holder of an authority granted by the Food Controller authorizing such sale, purchase, or dealing; or,

(ii) He was immediately prior to the 30th September, 1914, a person holding a license to deal in intoxicating liquor by wholesale taken out in pursuance of the Finance (1909-10) Act, 1910; or,

(iii) He is the manufacturer of the rum or gin in question.

3. For the purposes of this order, the expression "wholesale sale" shall mean a sale at any one time to one person of two gallons or more of rum or gin, and the expressions "wholesale purchase" and "wholesale dealing" shall have corresponding meanings.

4. Nothing in this order shall prevent any person buying for the purposes of a retail sale or for the purposes of any club to which Section 48 of the Finance (1909-10) Act, 1910, applies, or a purchase by a person who proves that he is not buying for resale.

5. Infringements of this order are summary offenses against the Defense of the Realm Regulations.

6. This order may be cited as the Rum and Gin (Restriction on Sales) Order, 1918.

By Order of the Food Controller.

W. H. BEVERIDGE, *Second Secretary to the Ministry of Food.*

¹ *Op. cit.*, pages 112-113.

CHAPTER V

Results

We have seen that there were two distinct questions involved in the liquor problem in Great Britain, namely, the question of drunkenness and inefficiency on the one hand and the question of food conservation on the other. The efforts at the solution of the first question culminated in the creation of the Central Control Board (Liquor Traffic) with bureaucratic powers. For the solution of the second question, the office of Food Controller was created with autocratic powers.

In attempting to appraise the results of the efforts of these two agencies, there is little that needs to be said regarding the efforts of the Food Controller. To cut down the production of beer from 36 to $13\frac{1}{2}$ million barrels a year cuts down in like proportion the materials used in its production, if the beer contains the same proportion of alcohol. If it contains a smaller proportion, still less starch and sugar are required. To prohibit altogether the use of grain, sugar and molasses for the distillation of potable alcohol is to save outright all that would otherwise be used for that purpose.

The effect of this legislation was that an output of 36,000,000 barrels before the war was reduced in two stages to 18,200,000. It would mean a reduction in the use of barley of 286,000 tons, 36,000 tons of sugar, and 16,500 tons of grits. Lord Devonport also pointed out that it would set free for the use of agriculturists a greater percentage of offals than was previously produced from brewers' grains. Whereas the brewers returned 25 per cent of the barley as offals, the farmer would now have 40 per cent after the other 60 had been made into flour.

Three weeks later it was decreed that no new contracts must

be made for the delivery of malt to brewers nor must brewers make it for themselves. At this time it was shown that practically no spirits were being distilled except for explosives. The query as to why the 140,000,000 gallons then in stock was not drawn upon instead of using new materials was replied to in the House by the official statement that it would not pay, although that step would be taken if found necessary. Ten days later the manufacture of malt was entirely forbidden except with the consent of the Food Controller.

During these few weeks there had been much public discussion of the waste of food stuffs in the manufacture of beer, and the submarine menace was opening the eyes of the people to the seriousness of the shortage. The government took notice of popular feeling by revising the regulation issued only a month before, to come into effect in another month. The output of beer was cut down to 10,000,000 barrels, thus saving 600,000 tons of foodstuffs. Toward the end of March, the sinkings of merchant vessels having become alarming, the various restrictions seemed justified. Some attempt was made, both in England and France, to exempt French wines from the limitations, but the conditions did not admit of argument even on behalf of Allied nations.

As the law now stands, there are 367,000 tons of barley, 21,420 tons of grits, and 44,700 tons of sugar being utilized for the manufacture of beer. Whether it is possible to convince the public that much of that vast quantity of food can be better directed depends to a great extent on the future record of submarine sinkings. The demand for further reduction, and even for prohibition, is undoubtedly louder, although as yet not one of the powerful London papers has advocated the latter. It is a peculiarity of the standing of the English press that no such startling change could be effected without newspaper support.

The chief difficulty is that of appraising the results of the liquor regulations upon drunkenness and the general efficiency of the nation. This problem divides itself into two parts; first,

the demagogic results and second, the physiological results. Of these two, the first is most difficult to measure.

By the demagogic results are meant the effects upon the loyalty and the morale of the people. It is quite conceivable that a measure which, from a purely physiological standpoint, that is, from the standpoint of physical health, muscular strength, manual skill, or mental alertness, would work well in every respect, might nevertheless prove disastrous if it provoked resentment or disloyalty, resulting in strikes, riots, or even an unwillingness to support by votes the administration in a vigorous prosecution of the war. To secure the vigorous support of the least intelligent and the least loyal part of any population it may be necessary to permit a certain amount of animal indulgence, even though it can be demonstrated that it is physiologically unnecessary or even injurious. The lower the state of civilization in any country, the more heavily does this factor count. A purely militant civilization, such as that of Germany, Austria and Turkey, makes systematic use of various forms of animal indulgence to provide inducements to military life and discipline.

Sexual and alcoholic excitation are two forms of animal indulgence most economically and abundantly provided for by nature, and therefore these are made special agencies for holding the loyalty and obedience of soldiers who have no ideals to fight for. But even in the highest civilizations there are always elements in the population, smaller or larger according to circumstances, who are unmoved by ideals and can only be moved by an appeal to their animal natures. This is always an element which may give trouble in a time of national crisis. Much as a statesman may dislike to do so, he may be compelled to placate this element.

When the question of liquor control first came up in England, fears were expressed as to its effect upon various elements of the population, particularly the unskilled wage workers. Squeamishness need not deter us from remarking that, on the average, unskilled workers are less intelligent than skilled workers, and that the unskilled workers therefore constitute the least

intelligent part of the population and the part least influenced by ideals and most influenced by sensuous appeals. The opponents of liquor control were not squeamish about cautioning the public on this point, or even threatening that strikes and riots¹ would result from a reduction of the beer allowance.

The London *Times* of April 2, 1915, quoted from a circular said to have been issued by the Allied Brewery Traders' Association to the effect that:

If the workers are deprived of what is actually to them a necessary part of their daily food, are we not likely to be faced with dangers enormously greater than at present? Is it not merely a question for the government to devise means of bringing home to the workers engaged in the manufacture of the munitions of war their responsibility to the nation and their coworkers in the trenches?

In the New York *Times* for November 22, 1915, is an article stating that five hundred delegates to a conference of London trade unionists had just passed a resolution pledging themselves to resist to the utmost, "by open revolt if necessary," the regulations lessening the hours during which liquor might be sold, to five hours a day, which were to go into effect November 29. The delegates represented the printing trades, postmen, railway and vehicle workers, molders, laborers and the workingmen's clubs. The new regulations were described as an insinuation that workingmen were addicted to excessive drinking, which arose from a few isolated cases. The resolutions said the regulations were a direct incitement to workers to "lay down their tools."

In the issue for November 25, the New York *Times* contains an article which comments further on the attitude of the London trade unionists. It says that their cry is, "No beer before dinner, no work before dinner," and that protest meetings were being held to decide how to defeat the regulations which would go into effect the next Monday. It also says that the trades union executives have been called into a conference to hear

¹ Cf. Chapter II, page 61.

Premier Asquith, Mr. McKenna and Walter Runciman, President of the Board of Trade, discuss national finances and to consider the financial position of the nation in relation to organized labor, the date set for the conference being December 1.

These and other similar considerations were not without their effect upon the government. Neither the Central Control Board nor the Food Controller was willing to deal vigorously with the question. Restriction of the hours during which intoxicating liquors might be sold, and reduction in the use of food materials in the manufacture of alcohol were both entered upon gradually and apologetically, the effort being always to go as far as it was felt to be safe to go in the reduction of drunkenness and the avoidance of waste. But for the fear of bad effects upon public opinion, it is difficult to see what reasons could exist for allowing any drunkenness or any destruction of food-stuffs in a time like that.

That euphonious phrase, "difficulty of enforcement," is made to cover a multitude of shortcomings. When one asks oneself why it is difficult to enforce any law, one comes to the bald fact that it is because some people are unwilling to obey the law and will resist it. To resist a law which, in time of national crisis, is deemed by those responsible for the saving of the nation to be vital to the best interests of the country is to be disloyal. To fear to pass such a law because of the difficulty of enforcing it is to fear disloyalty.

They who were charged with the task of reducing drunkenness and conserving food were therefore in a position of great difficulty. They are not to be blamed for timidity. They were simply facing facts and dealing with difficult problems. Managing a great war is as much a demagogic as it is a military or an economic problem. A nation needs wet-nurses as much as it needs economists or generals. The Central Control Board, and, to a certain extent, the Food Controller, were charged with the highly important, but not very welcome, task of weaning the drinking portions of the population from alcoholic drink as fast as they would consent to be weaned.

How far the fears as to the loyalty of the people were well grounded is difficult to find out. In the first place, the Central Control Board and the Food Controller were careful not to restrict drunkenness too closely, or to save too much food. The people were not put to a very severe test to see whether they would resist being deprived of the privilege of getting drunk or of wasting food or not. In the second place, such expressions of opinion as one can gather are somewhat contradictory. Many groups of laborers, as well as religious and other bodies, came out wholeheartedly in support of all measures of liquor control and food conservation. Other groups, both secular and clerical, opposed them. In some cases there were veiled threats, but it is difficult to tell just how much was meant.

Probably the best evidence to be gathered was that obtained by the Commission of Inquiry into Industrial Unrest. In most sections of the country, the commissioners found that liquor control had little or nothing to do with unrest. In the Southwestern Area and in Scotland, particularly, they found no complaint regarding liquor control. In the West Midlands Area and the Northeastern Area, they found strong objections. In the London and Southeastern Area and in the Northwestern Area, they found objections, but did not consider them serious.

The following quotations from the Report of the Commission of Inquiry into Industrial Unrest for the different areas show the results of the investigation:

Report of the Commissioners for the Southwestern Area, page 3. July 12, 1917.

The limiting of the hours during which licensed premises may be opened for the sale of intoxicating liquor is no cause of unrest. There was some complaint, but not much, as to the price and scarcity of beer in certain localities.

Report of the Commissioners for Scotland, page 12. July 10, 1917.

It is a somewhat remarkable fact worth noting that in the whole course of the proceedings no complaint has been made from any quarter of the liquor restrictions being a cause of industrial unrest. No reference at all has been made to that subject.

Report of the Commissioners for the West Midlands Area, page 9. July 11, 1917.

The commission were frankly amazed at the strength of the objections to the liquor restrictions. These came not only from men in the habit of drinking beer, but from those who were lifelong teetotalers and yet recognized the need of beer to those working on certain occupations. The question is threefold—one of hours, price, and scarcity. Of these, the last is by far the most galling. The limitation of hours, though unpopular, has been accepted as a war necessity. The increase of price is resented chiefly because it is felt that brewers are making an undue profit, but the real grievance is the difficulty of obtaining the article. It must be remembered that we are dealing with men who all their lives have been accustomed to drink beer as when they want it. We hold no brief either for or against beer drinking, but we are convinced that that is a question which men must settle for themselves, and that it must be recognized that beer is more than a drink. Without going into the thorny question of whether it is a food, it certainly is a social habit or a custom of life, as two witnesses expressed it. We recommend to the government that the supply should be largely increased. We recognize that this may entail some weakening of the article, but we wish to impress upon the government that besides supplying beer they must supply the sort that men want, and that quantity alone will not meet the case. In allotting the new supply, special regard should be had to areas which show largely increased population.

Report of the Commissioners for the Northeastern Area, page 3. July 12, 1917.

As the result of their investigations the commissioners are able to state that the liquor restrictions have not generally led to the creation of industrial unrest. There are two aspects of this question, *viz.*—(a) the effect of the Liquor Control Board's restrictions regarding the hours during which intoxicating liquor can be supplied, and (b) the effect of the shortage of beer in consequence of the limited quantity which may be brewed. As regards the first aspect of the question there is a general consensus of opinion that the Board's regulations have done good. It was, however, urged that the order which fixes the evening closing hour for licensed premises in the Northeast Coast Area at 9 o'clock called for modification. It was alleged that the usual hour for men working overtime to knock off work was 9 o'clock, and that they ceased work before that hour in order to obtain refreshment before going home, or even refused to work overtime at all—in one instance it was averred that 300 men had declined to work any overtime—with the result in either case of a serious reduction in output. It was suggested to the commissioners that the Liquor Control Board should alter their order for the Northeast Coast, so as to bring it into line with the other parts of England in which the evening opening hours are generally from 6.30 P. M. to 9.30 P. M. Certain employers, however, thought that this would be a mistake, and that the better plan would be to allow the men working

overtime to get away at 8.30 p. m. or 8.45, so as to get refreshment before the closing hour. The attention of the Central Control Board has been called to this matter, and their local inspector has been prosecuting inquiries on the subject. The second aspect of the question, *vis.*, shortage of supplies of beer combined with the present exorbitant prices, has led to rather more resentment. Rightly or wrongly, the workers are convinced that beer is an indispensable beverage for men engaged in the so-called "hot" or "heavy" trades. If it were demonstrated that a reduction of brewing was necessary in the interests of food conservation, there is no reason to doubt that all classes would loyally acquiesce in whatever diminution was deemed essential, but the belief is prevalent that certain parties are endeavoring to use the national exigencies as an excuse for forcing on prohibition, and to this the great body of workers are bitterly opposed. There was no evidence whatever that excessive drinking existed, and the workers' representatives made it clear that they had no sympathy with men who drank to excess. It is the view of the commissioners that unless the national demands for food require it, no further curtailment of the supply of beer in munition areas should take place, and that if it were possible to give a reasonable supply of beer to the munition areas at more moderate prices, this would in no degree impair the efficiency of the workers, and would have a good effect, as indicating sympathy with the legitimate desire of the workers for reasonable refreshment at a price within their means.

Report of the Commissioners for the London and Southeastern Area, page 4.
July 12, 1917.

There is general recognition that the restriction on the sale of beer and the increase in the price of it has produced hardship, ill feeling, and irritation among the large industrial population accustomed to take beer at their principal meals. Even a teetotaler objected on behalf of his union to the bad effect the restrictions had on men against whom no reflection of intemperance could be suggested.

In trades where heavy labor and heat rapidly exhaust the moisture of the body the withholding of beer results not only in a sense of hardship but also in bad effects upon health.

The institution of canteens has not had the effect of reducing the feeling of irritation in regard to cost of food, and the inability to procure suitable foods. In many cases the food provided at the canteens has not been satisfactory, and the sameness of the food has militated against the success of the movement. No adequate arrangement has been made to meet the reasonable requirements of workers in the matter of refreshment, a difficulty which is in great part due to the large influx of outside labor. In the large munition areas difficulties have been experienced owing to the limitation of hours during which liquor traffic is permitted, particularly in the case of overtime and night work. There appears to be inequality amounting to absurdity in the distribution of supplies, *e. g.*, in Woolwich, a place to which there is an enormous daily immigration, public houses are frequently closed for days together on account of want of supplies.

Page 8

Some relaxations of the existing restrictions on the use of beer might, we think, be made with advantage in cases of prolonged and exhausting labor, especially where men are exposed to great heat.

It is obviously necessary that the administration should see to the more equitable distribution of the supply, having regard to the number of the day population as distinct from the resident population.

Report of the Commissioners for the Northwestern Area, page 25. July 16, 1917.

Whilst we consider that the liquor restrictions are a cause of unrest and are disliked as an interference with liberty by all classes, we consider that they contribute to unrest rather than cause it. As an employer sensibly observed to us: "I should not call the liquor restrictions a cause of unrest, but I should unhesitatingly say they are a source of a considerable loss of social temper." This, we think, was wisely said, and the matter should be sensibly dealt with, not from the high ideals of temperance reformers, whose schemes of betterment must be kept in their proper place until after the war, but from the human point of view of keeping the man who has to do war work in a good temper, which will enable him to make necessary sacrifices in a contented spirit.

Now, from the days of that good Christian Socialist, Charles Kingsley, until this present, there have been a large number of human beings, some of the best citizens in the country, to whom beer is not only a beverage but a sacred national institution. They think, perhaps wrongly, that it is necessary for their work, and when you want them to give the nation their best work it is an utterly stupid thing to deny to them a small luxury which throughout their lives they have been used to receive. There would be much more sense in depriving England of tobacco, but it would not help to win the war.

The way the matter has been put before us by sensible men and women who are not faddists—and it is only fair to say that the teetotalers who have spoken to us on the subject recognize, like sensible men, that this is not the time to seek to enforce their political mission—is that a reasonable amount of beer for workers who are used to it and want it should be given to them. We find that the hours of restriction are not seriously objected to by the community. The women decidedly approve of them, and the men generally are inclined to accept them during the war, but they consider that they work hardly on certain classes of men. Workers in foundries, such as molten-metal carriers and others who work under terrible conditions of heat and have hitherto been used to a pint of ale when they leave work, say, at 5.30, hang about waiting for the houses to open, and this is very undesirable. Again, in Liverpool and other places it is found impossible to keep men on urgent work overtime at nights past 9 o'clock because they desire to quench a natural human thirst in the way they are accustomed to do. Societies of Buffaloes and Odd Fellows and similar institutions, who are used to meet

after their day's work and take their ease at their inn and settle business over a social glass, can no longer do so. The problem is a human problem, and must be dealt with at the moment not from any ideal standpoint, but by recognizing that you can not get the best work out of a human being by unnecessary interference with the course of life to which he has been accustomed.

Far more important than hours of restriction, which could probably be easily arranged by giving local privileges to special classes of men, is the more serious cause of unrest about the price of beer and the quality supplied. Government control, if it allows the public houses to be open at all, should at least insist that the quality of the beer is good, and that reasonable quantities of it are supplied at fair and reasonable prices. The chief constable of the County of Lancaster, who thoroughly understands the conditions of this industrial area, writes to us that it would be a good thing if public houses remained open until 10 P. M., and he considers that "the workingmen—especially colliers, ironworkers, and men engaged on the land—have had a legitimate grievance in not being able to procure a good, wholesome beer at a reasonable price." With this opinion your commissioners heartily agree.

From these extracts it will be seen that the chief objections were not to the restricted hours during which liquor might be purchased, but to the sheer scarcity of it. This led to recommendations that a slight increase in the production of beer be permitted in certain areas in order to ease up the situation.

From the fact that the Central Control Board, the Food Administrator and this Commission of Inquiry into Industrial Unrest all showed great caution and a willingness to compromise and placate, we must conclude that there was serious danger of bad demagogic results. These men were probably in a better position to judge of those matters than any one else. The fact that bad demagogic results did not follow must be ascribed to their wisdom and tact in handling a difficult situation.

As to the physiological and economic effects, our best evidence is found in the reports of the Central Control Board itself. The reduction of the convictions for drunkenness is a tangible and measurable fact. This implies also a reduction in the amount of time lost through drunkenness, and an increased general efficiency, but this is not measurable with any approach to exactitude.

The following paragraphs are quoted from the First Report

of the Central Control Board (Liquor Traffic) dated 12th October, 1915:

7. Since the orders of the Board came into force every opportunity has been taken to judge of the practical effect of the restrictions imposed and of the other measures enacted.

The Board have obtained from the chief constables in the first 12 areas scheduled figures showing particulars of prosecutions and convictions for drunkenness in each of the four weeks immediately prior to the commencement of the order and in each week since it came into force.

They have also received from a number of chief constables, medical officers of health, employers of labor, men's representatives, and from philanthropic associations, opinions upon the working and effects of the order.

In addition, they have been able to secure the services of Mr. Sanders, Clerk to the Liverpool Justices, who has specially visited for them most of the areas which have been dealt with, some of them on more than one occasion since the orders came into force, for the purpose of reporting to the Board upon the effects of the orders.

8. Speaking broadly, the information obtained points to the following conclusions, which must necessarily be regarded as provisional, owing to the short duration of the experience.

There has been a considerable diminution in the number of both the prosecutions and the convictions for drunkenness. The prosecutions for drunkenness in the first eight areas scheduled in England and Wales, on an average of the four weeks prior to the commencement of the order in each area subsequent to the commencement of the orders for the respective areas, has fallen to 417, a decrease of over 40 per cent. The corresponding figures for the first two areas scheduled in Scotland are 695 and 585.

Detailed returns received from some areas show that of persons charged some have more than 100 previous convictions, many more than 50, and a considerable proportion more than 20. The uselessness of applying fine and imprisonment to cases of this character with a view to their reform requires no demonstration. It is also probable that in such cases little amelioration can be effected through the available methods of restriction. The Board are of opinion that inquiry and research might usefully be made with a view to discovering some method of treatment giving better hope of effective cure.

In addition to the foregoing figures for prosecutions for drunkenness, to which undue importance should not be attached, there is abundant evidence that drinking has diminished in many of the areas. Many witnesses, speaking of their own areas, mention improved public order, a better condition in the streets, and an improved condition of the children; and the Board have received evidence that money which was formerly spent in excessive drinking is now either deposited in savings banks or used to improve the home.

An interesting corroboration of the improvement in general conditions is the fact reported by observers that the general trade of the scheduled areas has been particularly good in articles commonly required by the working

classes, the inference being that the trades which cater for these requirements have profited by a diversion of purchasing power.

On September 24 the Board held a conference of chief constables from areas scheduled in England and Wales, at which the unanimous opinion was expressed that better order and behavior had prevailed generally since the coming into force of the Board's orders, and that this result was due particularly to the prohibition of "treating" and of credit sales, and to the restriction of hours. The same views have been expressed by a number of chief constables in areas scheduled in Scotland.

These initial results augur well for the future, though it would be rash to assert at this stage that all the improvement obtained will be permanent.

With regard to the efficiency of the workmen, and the increase of output, some time is required before an opinion can properly be expressed. Up to the present few reports have been received from firms engaged in the manufacture of munitions. Time-keeping appears better in certain areas, and from all areas reports have been received indicating an improved condition of the men coming to work in the morning.

Reports from the harbor cities state that great improvement in working conditions has resulted from the Board's action. Drunkenness among sailors, firemen and dock laborers has diminished, crews signed on are more sober, and ships are able to get away with much less delay.

In some areas difficulties, or even disturbances, were anticipated as not unlikely to follow the enforcement of restrictions so drastic as those imposed by the Board's orders. It is therefore satisfactory to be able to report that the orders have taken effect with but little friction, and without any breach of public order.

The following is quoted from the Second Report of the Central Control Board (Liquor Traffic) dated 1st May, 1916.

CHAPTER VII

EFFECTS OF THE BOARD'S ORDERS

In this chapter it is proposed to collect and set forth statements and particulars which have reached the Board from various sources, showing the influence of the Board's orders upon the life of the nation, and their effects in preserving and raising the general standard of that efficiency which is so necessary for the successful prosecution of the war. This will be done partly by means of such facts and figures as lend themselves to statistical treatment, and partly by means of a representative selection of the expressed opinions of responsible public authorities.

Under the first head the material available consists of the figures of the convictions for drunkenness. The extent to which these figures can properly be regarded as bearing upon efficiency, and the care which must be exercised in drawing conclusions or inferences from them, will be referred to later.

Here it will be sufficient to observe that public drunkenness—to which alone these figures relate—constitutes but one part of the problem with which it is the duty of the Board to deal.

The Board have obtained from the chief constables in scheduled areas weekly returns of convictions for drunkenness from the date at which the orders for the respective areas became operative. These returns, shown separately for the several areas or parts of areas, and summarized in tabular form, are given in the appendix to this report. It is well known that the figures of convictions for drunkenness had been rising during the five years 1909-1913, that a tendency to fall became apparent in 1914, and in the earlier months of 1915, and it will be observed from Table I of the appendix that there was a heavy fall upon the operation of the Board's orders, a fall which has been well maintained up to the latest date for which comparative figures are available. The particulars given in the tables printed in the appendix will repay detailed attention, but the following figures, which have been selected from four of the chief industrial areas, constitute a fair illustration of the general tendency of the figures relating to England and Wales:

		WEEKLY AVERAGE OF CONVICTIONS FOR DRUNKENNESS				
AREA	DISTRICT	1914	First 6 months 1915	4 weeks before Board's order	4 weeks following Board's order	First 8 weeks 1916
Northeast Coast.....	Newcastle and seven other Boroughs....	166	159	201	107	111
Liverpool and Mersey....	Liverpool and three other Boroughs...	278	238	225	123	128
Midlands ...	Birmingham and six other Boroughs....	88	48	74	22	27
West Riding of Yorkshire }	Twelve Boroughs....	131	94	97	44	54

The figures for the London area are equally striking. In this area a No Treating Order began to operate on October 11, 1915; the full order restricting hours, etc., on November 29. The record of convictions for drunkenness in the City and the Metropolitan Police District is as follows:

Weekly Average for

1914	1,301
First six months of 1915.....	1,077
Four weeks before No Treating Order of October 11, 1915.....	1,008
Four weeks following October 11.....	718
Four weeks before full Order of November 29.....	859
Three weeks following November 29.....	606
Two weeks ending January 2, 1916 (Christmas period).....	950
First eight weeks of 1916.....	603

For London and the whole of the English and Welsh boroughs specified

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in Table I, of the appendix, the figures of convictions for drunkenness are:—

Weekly Average for

1914	2,034
First six months of 1915 (Naval, Military, or Licensing Justices' Restrictive Orders operating in most boroughs).....	1,690
The four weeks following the Board's orders (in 1915).....	1,071
The eight weeks ending February 27, 1916.....	978
The four weeks ending March 26, 1916.....	940

For the Scottish areas specified in Table III the figures for all offenses "involved in drunkenness or committed while under the influence of drink" are:—

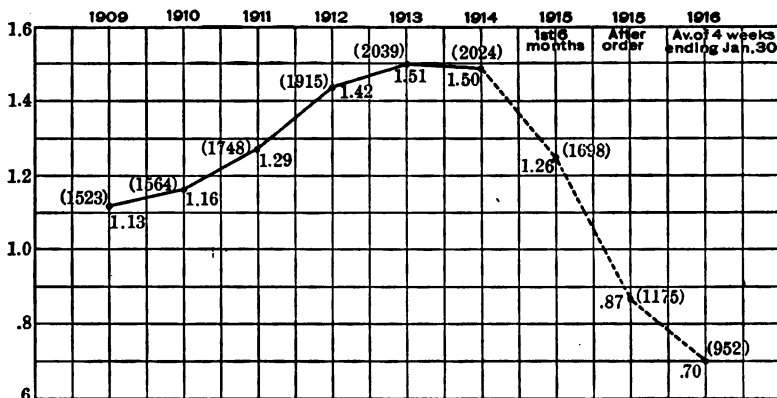
Weekly average for the 4 weeks preceding the Board's orders (in 1915)	1,434
Weekly average for the 4 weeks following the Board's orders	1,125
Weekly average for the 8 weeks ending February 27, 1916	992
Weekly average for the 4 weeks ending March 26, 1916...	794

The extent to which convictions for drunkenness have declined is illustrated by the following graphs:

WEEKLY AVERAGES OF CONVICTIONS FOR DRUNKENNESS

LONDON AND 40 BOROUGHES IN ENGLAND AND WALES

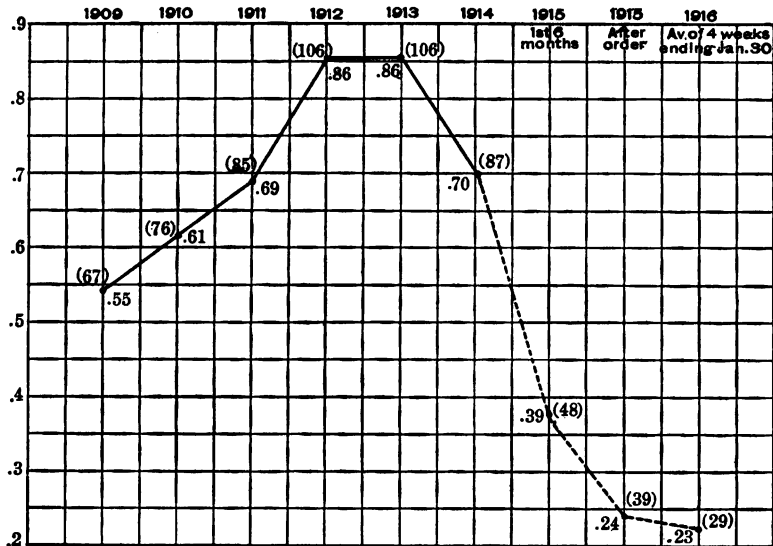
Population, 13,516,586



(See explanation of graphs on page 123.)

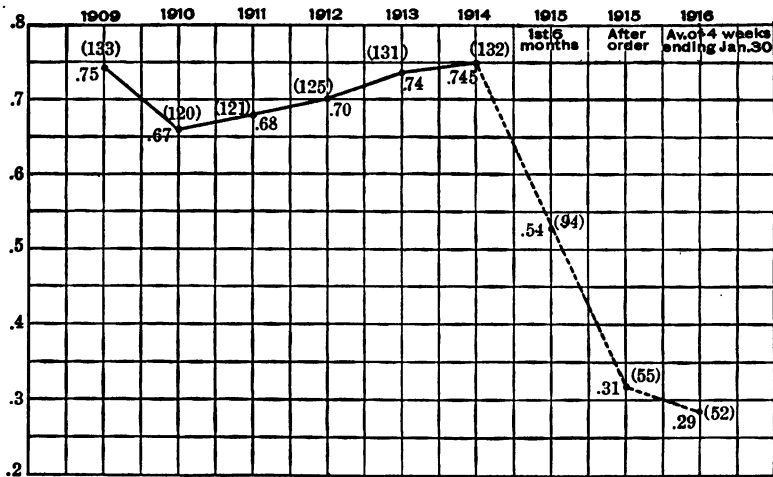
BOROUGHs IN MIDLANDS AREA

Population 1,236,233

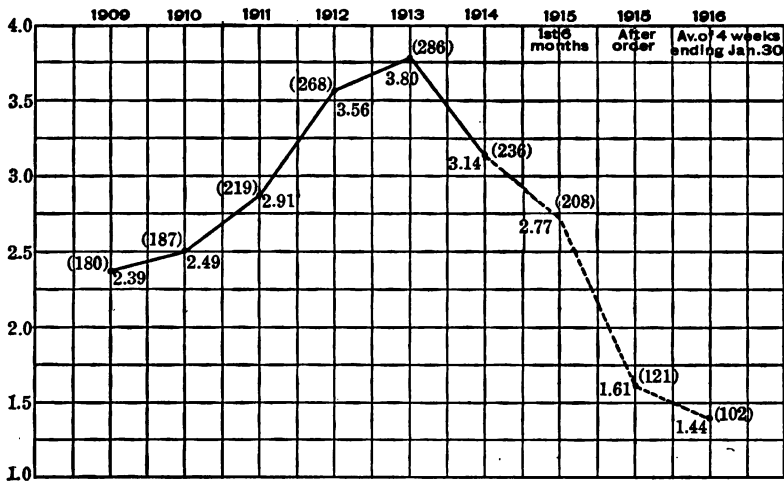


BOROUGHs IN WEST RIDING AREA

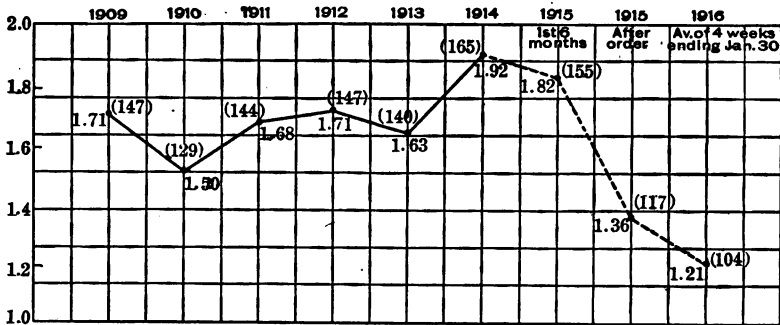
Population, 1,782,045



LIVERPOOL
Population, 753,353

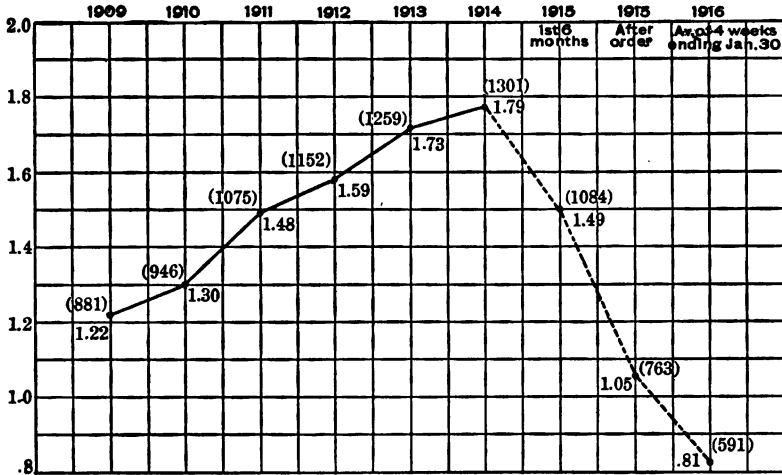


BOROUGHES IN NORTHEAST COAST AREA
Population, 860,220



LONDON (METROPOLITAN POLICE DISTRICT AND CITY)

Population, 7,250,000 (approximate)



EXPLANATION OF GRAPHS

The graphs show the weekly averages of convictions for drunkenness in areas scheduled before December, 1915.

The dot on each vertical line gives this average for the year or other period indicated at the head of the line. The figure above the dot is the actual weekly average for that period, and the figure below the dot is the same average shown as a proportion of each 10,000 of the population, for which the 1911 census figure has been taken, possible fluctuations in population, due to causes ordinarily operating or to the war, being disregarded.

The figures of convictions for 1909-1914 have been taken from the annual "Licensing Statistics"; those for the later periods have been supplied by the police. The figures on the line headed "1915 after order" in the first graph represent the average for periods which varied with the dates at which the orders came into force in the several areas included in the graph, the earliest of these dates being August 2d, and the latest November 29th.

With regard to the figures for 1916 it should be noted that convictions for drunkenness in January are usually below the general average of the year.

The figures just given and those in the appendix show that in each area in England and Wales where the orders of the Board have operated there has been a notable decline in convictions for drunkenness. The curves in the graphs indicate that the restrictions imposed during the first year of the war by Justices or by the naval or military authorities led to an immediate decrease in convictions, that this decrease was rapidly accelerated when the Board's orders were issued, and that the subsequent improvement has been progressive, and still continues.

The considerations which may be urged against placing an undue reliance upon the figures of convictions for drunkenness are well known. The customs and the standards of the public, the police, and the magistrates vary widely from one locality to another, and have in the past tended to vitiate comparisons between different places or even between different periods in the same place. Moreover, it may be agreed that numerous special causes due to the war may partly account for the results shown. Such considerations, however, do not materially modify the inferences which must be drawn from figures which show such rapid changes, and such consistent tendencies as are presented by the foregoing graphs and by the fuller particulars recorded in the appendix.

These figures relate only to public drunkenness. The effect of the Orders on such matters as improved timekeeping, or enlarged output of munitions, or on the general efficiency of persons who ordinarily drink intoxicating liquor, but not to such excess and under such conditions as to involve their arrest for drunkenness, is a matter rather of opinion than of ascertained fact. Representative opinions on this question, derived from a large number of persons or bodies well qualified to judge, are given in the succeeding paragraphs.

REPORTS RECEIVED THROUGH GOVERNMENT DEPARTMENTS

The scheduling of a large proportion of the areas which have successively been made subject to the Board's orders has been due to requests or suggestions made by the Admiralty, who have throughout kept the Board informed of the general results of the Board's orders upon naval efficiency, including the efficiency of the work of naval yards and of the Naval Transport and other auxiliary services. The most recent authoritative expressions of opinion on this matter, which come from Admirals and other officers in important commands, are summarized by the Admiralty as confirming reports received earlier in the year that "the general effect of the restrictions has been decidedly beneficial." In the latest report received from the Admiralty (28th March, 1916), it is stated that "Transport officers are unanimously of the opinion that the restrictions have had a considerable benefit upon the efficiency of the Transport Service, and the principal officer at Southampton has commented on the increased efficiency and good health of all the labor at the docks."

Similar results have been reported by the military authorities. Thus, in October, 1915, the Army Council based a request to the Board to undertake a further extension of areas so as to include certain localities (which they specified) where troops were concentrated, on "the satisfactory results

which are being obtained from the closing orders which have been made by the Central Control Board in the areas already scheduled." The Army Council informed the Board on January 29, 1916, that "reports have now been received from the various commands, the general effect of which is to show that the orders of the Board have had a beneficial effect on the discipline, training, and efficiency of soldiers, and have helped in the recovery of sick and wounded."

Statements have also been received, through the Board of Trade, from the larger ports with regard to the effects of the Board's orders, which are singularly uniform in their testimony to the advantages secured, the beneficial results being mainly attributed to the shortening of the hours during which intoxicating liquor can be obtained. The work of the ports and docks is reported to proceed with improved punctuality and efficiency, and in general it is affirmed that increased sobriety among sailors, firemen, and dock laborers enables ships to get away and to proceed to sea with greater dispatch than was the case before the Board's restrictions were introduced.

CHIEF CONSTABLES

Under the Liquor Control Regulations the duty of enforcing the Board's orders rests with the police, and the Board have from the first endeavored to keep in close touch with the heads of the police force in scheduled areas. They held special conferences with them in the autumn of 1915, and they have received frequent reports from them since the orders have been operative.

Thirty towns and one county in England and Wales from which reports were received testified to the favorable effects of the restrictions, especially in regard to drunkenness in the streets, drunkenness among women, care of children, loss of time in factories and assaults and disturbances due to drunkenness.

In regard to Scotland, the Second Report says:

Various circumstances have contributed to make the successful operation of the Board's orders in Scotland more difficult than in England. While the attitude of the majority of the licensees was that of loyal support to the Board's orders, there were in the earlier months of the Board's work many instances to the contrary. The imposition of comparatively trivial penalties for breaches of the orders, and certain adverse legal decisions by sheriffs—since reversed by the higher courts—may be said to have disposed license holders who were not well affected to the policy of restriction, to disregard the provisions of the orders. The Board have recently taken steps to enforce respect for the law; 17 licenses, in cases of proved misconduct, have been suspended for the remainder of the period for which they were granted, and it is now possible to report an improvement in the situation.

From 13 towns and 7 counties in Scotland come reports of good results from the restrictions of the Board. The reports

lay stress on the general decrease of drunkenness among males and females, on more orderly conduct and improved workmanship and timekeeping.

The report goes on to say:

The Board have also received a valuable mass of evidence regarding the beneficial results of their orders upon public health and efficiency from licensing authorities, medical officers of health, resident surgeons of hospitals, and numerous other officials and voluntary workers whose duties bring them into close touch with the industrial life of the nation. At a time when the whole community is engaged in the prosecution of the war these opinions have a definite bearing upon the questions dealt with in this chapter, but the Board have preferred to confine the chapter, so far as the publication of expressed opinions is concerned, to statements received from government departments and public officials directly concerned with the effects and administration of the orders.

In the Third Report of the Central Control Board (Liquor Traffic) dated 10th August, 1916, Appendix I, are the following tables:

TABLE I
WEEKLY AVERAGES OF CONVICTIONS FOR DRUNKENNESS* IN AREAS SCHEDULED
UP TO THE END OF 1916

Area.	For the four weeks immediately before the order.	For the four weeks ending			
		For 1916.†	Jan. 28, 1917.	Feb. 25, 1917.	Mar. 25, 1917.
Areas in England and Wales:					
London	1011	568	568	476	428
Shorncliffe	140	82	65	69	58
Southeastern					
Southern Military and Transport.....					
Eastern					
Bristol and Bath					
West Gloucestershire					
Hereford					
Plymouth	190	92	70	59	60
Falmouth					
Midlands					
East Midlands	431	293	232	226	210
Staffordshire					
Lancashire and Cheshire	238	141	129	128	102
West Riding					
Humber	320	182	143	128	121
Northeast Coast					
Western Border (English part).....	25	42	30	36	28
Welsh (<i>i.e.</i> , Wales and Monmouthshire)	116	87	77	71	68
Total	2471	1487	1314	1193	1075
Areas in Scotland:					
Western Border (Scottish part).....	23	25	13	16	16
Scotland, East Central	258	169	139	153	124
Scotland, West Central	963	611	534	471	441
Scotland, Northern	241	142	127	112	99
Scotland, Northwestern					
Scotland, North Coast					
Orkney and Shetland	1485	947	813	752	680
Total					
Areas in Great Britain, Total.....	3956	2434	2127	1945	1755

* In these tables of convictions for drunkenness the figures for England and Wales include the convictions for simple drunkenness, drunkenness with aggravations, and drunkenness at the same time as other distinct offenses; the figures for Scotland include the convictions for all offenses involving drunkenness or committed while under the influence of drink.

† The whole year, or, if the order came into force in 1916, the part subsequent to the commencement of the order.

TABLE II

CONVICTIONS FOR DRUNKENNESS IN GREATER LONDON AND THE 36 BOROUGHES
IN ENGLAND AND WALES WITH A POPULATION OF OVER 100,000Greater London (Metropolitan Police District
and City)—

Population (1911), 7,467,307.	1913.	1914.	1915.	1916.
Male	48,535	49,077	35,866	19,478
Female	16,953	18,577	15,970	9,975
Totals	65,488	67,654	51,836	29,453

Boroughs, England and Wales (36)—

Population (1911), 8,406,372.				
Male	41,380	38,577	27,041	17,233
Female	11,399	11,258	9,959	6,097
Totals	52,779	49,835	37,000	23,330

Total Male Convictions.....	89,915	87,654	62,907	36,711
Total Female Convictions	28,352	29,835	25,929	16,072
Totals	118,267	117,489	88,836	52,783

TABLE III

CONVICTIONS FOR DRUNKENNESS IN GREATER LONDON FOR THE FIRST QUARTER
OF EACH OF THE LAST FIVE YEARS

1913.	1914.	1915.	1916.	1917.
13,900	16,007	14,076	7,744	6,176

TABLE IV

CONVICTIONS FOR DRUNKENNESS IN GLASGOW

(1) <i>Before and After the Order of the Board</i>	(2) <i>For the First Quarter of the Last Five Years</i>			
		Male.	Female.	Total.
Weekly Average—	First Quarter of—			
For first six months of 1915.. 522	1913.....	4,220	1,633	5,853
After Order (Aug. 23) to end	1914.....	5,156	1,771	6,927
of 1915	1915.....	4,594	1,697	6,291
For four weeks ending—	1916.....	2,866	1,172	4,038
January 30, 1916..... 340	1917.....	2,128	1,025	3,153
February 27, 1916..... 370				
March 26, 1916..... 236				
April 23, 1916..... 252				
May 21, 1916..... 245				
June 18, 1916..... 332				
July 16, 1916..... 342				
August 13, 1916..... 349				
September 10, 1916..... 311				
October 8, 1916..... 359				
November 6, 1916..... 328				
December 3, 1916..... 328				
December 31, 1916..... 350				
January 28, 1917..... 286				
February 25, 1917..... 234				
March 25, 1917..... 213				

TABLE V

BEER AND SPIRITS CHARGED WITH DUTY FOR HOME CONSUMPTION IN THE UNITED KINGDOM

Financial Year.	Beer, Standard Barrels.	Spirits, Proof Gallons.
1913-14	35,372,000	32,596,000
1914-15	32,525,000	34,345,000
1915-16	29,626,000	35,597,000
1916-17 (provisional)	25,905,000	23,998,000

TABLE VI

DEATHS CERTIFIED AS DUE TO OR CONNECTED WITH ALCOHOLISM (EXCLUDING CIRRHOSIS OF THE LIVER*) IN ENGLAND AND WALES
IN EACH OF THE YEARS 1913-1916

(From the Registrar General's returns)

	1913.	1914.	1915.	1916.
Males	1,112	1,136	867	620
Females	719	680	584	333
Totals	1,831	1,816	1,451	953

* The deaths certified as due to cirrhosis of the liver were as follows:

	1913.	1914.	1915.	1916.
Males	2,215	2,266	2,107	1,823
Females	1,665	1,773	1,525	1,163
Totals	3,880	4,039	3,632	2,986

TABLE VII—LIVERPOOL

(A) CONVICTIONS FOR DRUNKENNESS, (B) CASES OF DELIRIUM TREMENS TREATED IN POOR LAW INFIRMARIES, AND (C) DEATHS FROM EXCESSIVE DRINKING, IN LIVERPOOL, IN THREE 12-MONTH PERIODS

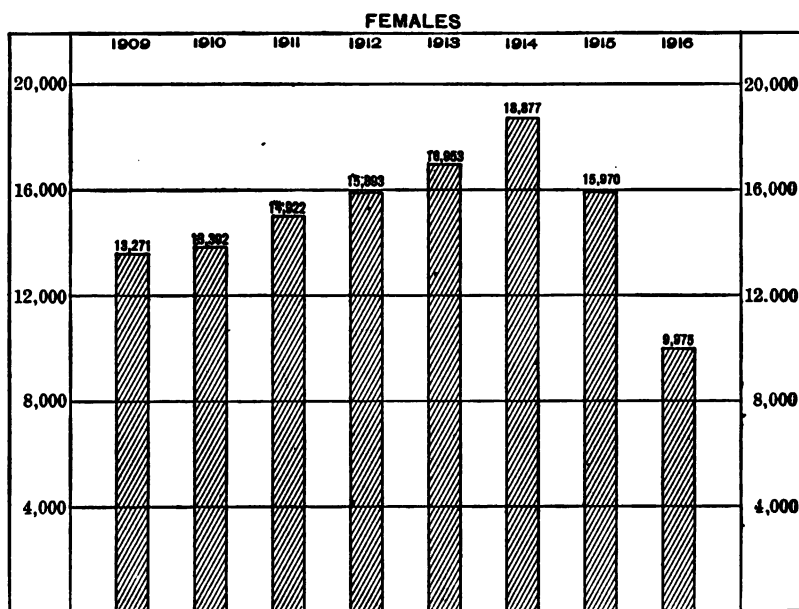
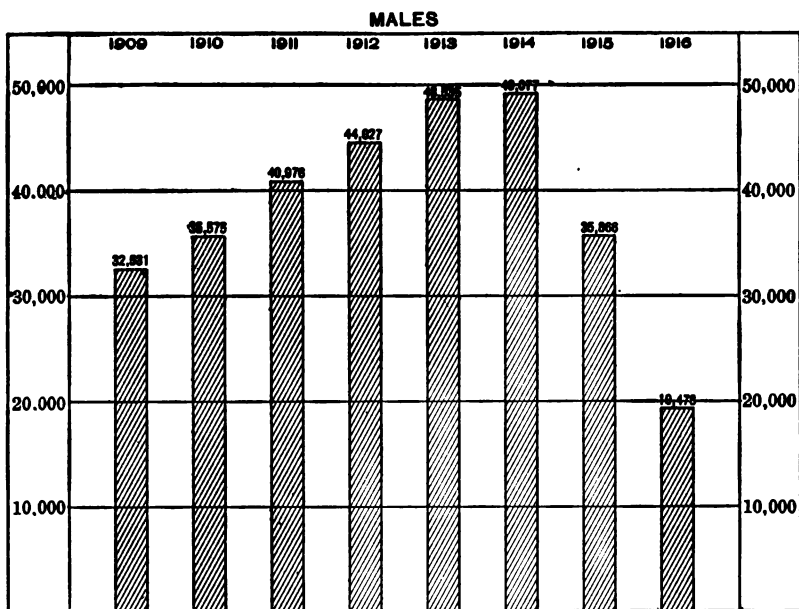
(Figures furnished by the Medical Officer of Health)

Period of 12 Months Ending Aug. 15.	(A) Convictions for Drunkenness.			(B) Cases of Delirium Tremens.			(C) Deaths from Ex- cessive Drinking.		
	M.	F.	Total	M.	F.	Total	M.	F.	Total
1. 1913-14.....	9,679	3,522	13,201	366	145	511	85	41	126
2. 1914-15.....	7,290	3,838	11,128	263	158	421	57	51	108
3. 1915-16.....	4,355	1,922	6,277	128	77	205	35	14	49

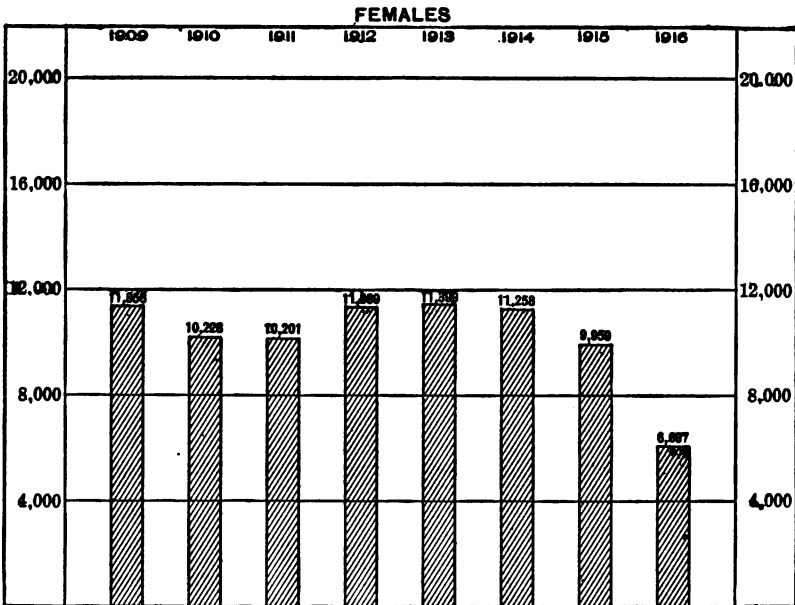
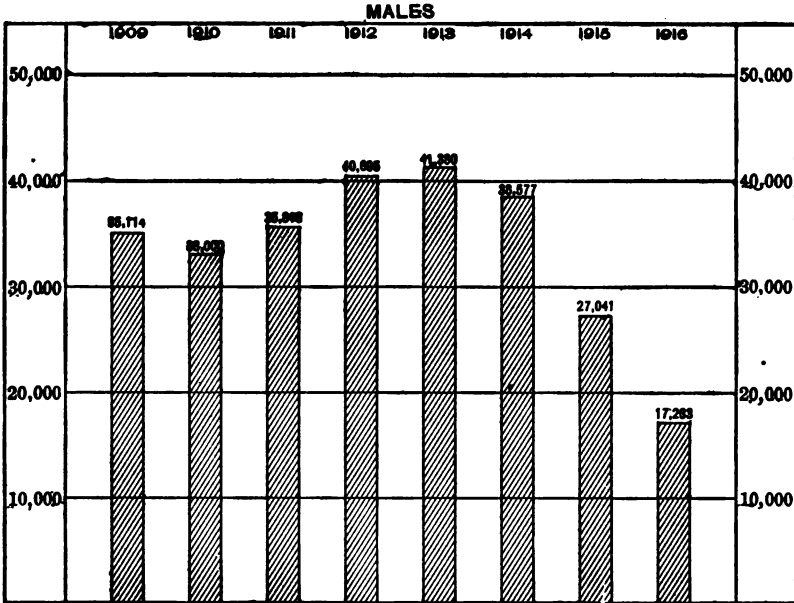
In Appendix II of the Third Report, under the heading "Drinking among Women" is given a "Report of Special Investigation in the Birmingham District" as follows:

1. In June, 1916, a petition was sent to the Board, bearing 37,155 signatures of women and girls, requesting that an order be made whereby no girl in Birmingham and district under the age of 21 should be served with intoxicating liquor or allowed on licensed premises until three months after the declaration of peace. The grounds for this petition were the large number

CONVICTIONS FOR DRUNKENNESS IN GREATER LONDON
1909-1916



CONVICTIONS FOR DRUNKENNESS IN THE 36 BOROUGHES IN ENGLAND AND
WALES, WITH A POPULATION OF OVER 100,000
1909-1916



of girls that had, it was believed, ceased to be total abstainers since the war, alleged increase of drinking parties, and observations of public houses showing large numbers of women frequenting them. The petition was supported by the Lord Mayor and the Chairman of the Licensing Justices.

2. At the meeting of July 18, 1916, the Board approved the report of the committee to which the petition had been referred in the first instance. The following is an extract from this report: "The statements bear closely upon the condition of girl workers in munition factories and it has been ascertained from the Director of the Welfare Department of the Ministry of Munitions that he would welcome investigation of this matter. The committee recommend that the Board should undertake such investigation with a view to seeing whether, and how far, their powers could be used to remedy any evil which may be found."

8. The evidence received by the committee from these various sources did not point to any recent increase of drunkenness, or indeed of excessive drinking. It was authoritatively and emphatically stated that the broken pledges of persons pledged to total abstinence had "very infrequently" led to intemperance. Some specific instances were produced of drunkenness among women, but these were usually among women who drank before the war and had now greater opportunity through increased incomes, and in some cases increased drinking was attributed to the absence of the controlling influence of the husband.

9. It was generally agreed that the problem was one of large numbers of women taking alcoholic liquor to a moderate degree. It had therefore to be considered by the committee in close connection with the present conditions of the city of Birmingham as regards its increased female and its decreased male population.

13. The returns submitted by the police authorities in Birmingham in respect of convictions and arrests for drunkenness appear to indicate a steady and rather remarkable decline, and tours of inspection by police officials have not revealed such increase of excess as has been alleged. The following tables show police figures of arrests:

(a) Arrests of men and women for drunkenness in periods of 222 days before and after Board's order (November 22, 1915), compared with same periods in two preceding years:

	19th April to 21st November				22d November to 1st July		
	Male.	Female.	Total.		Male.	Female.	Total.
1913.....	2,761	633	3,394	1913-14.....	2,900	624	3,524
1914.....	2,394	672	3,066	1914-15.....	1,218	409	1,627
1915.....	1,504	437	1,941	1915-16.....	647	217	863

N. B.—14 November, 1914. Brewers' Association Order forbidding sale of intoxicating liquor to women before 11 A. M.

25 March, 1915. Justices' order restricting hours to 10 A. M. to 10 P. M.

(b) Arrests of women for drunkenness in yearly periods, 1906-1915:

1906	1907	1908	1909	1910	1911*	1912	1913	1914	1915
587	723	632	686	756	846	1,033	1,030	928	667

* 1911, boundary of city enlarged.

(c) Arrests of women for drunkenness in six-monthly periods, January-June, 1914-16:

January to June, 1914.....	511
January to June, 1915.....	351
January to June, 1916.....	182

(d) Return of soldiers' wives who have come into hands of police through drunkenness:

1914	1915	1916
8	93	19

[Of those shown in Table (d) the portion for January to June would probably be included in arrests of Table (c).]

17. Much of the evidence before the committee seemed to show that such problem as exists in relation to drink among women is one that is concerned with future evils which may arise from present conditions rather than with existing evils.

18. The women employed in Birmingham in factories and in other work are very numerous, and are increasing in number; the association with men in work, and the frequent adoption of some of the habits of men workers has led to an increase in the number of women who drink intoxicating liquor and frequent public houses. This occurs among women of all ages; and inspection of about 50 or 60 public houses at various times showed a good many women frequenting them, the number of women being, however, substantially less than that of men; they were mostly older women and also girls of apparently about 20 years and upward, but very few can have been below the age of 18; in almost all cases these women and girls were in the company of men. No drunkenness was seen, and no substantial evidence was submitted to the committee that there is an increase of women indulging in alcoholic liquors to excess. The representative deputation from the licensed trade informed the committee that in addition to the ordinary police supervision they employ their own detectives to supervise their trade, and that they have taken steps to discourage women from lingering on licensed premises. The trade also gave evidence indicating the action they had taken with a view to removing tendencies to excessive drinking among women.

19. Some witnesses stated that it was their belief that immorality was on the increase and was traceable to alcoholic excess, but on these points the committee were not furnished with any evidence.

20. Previous to taking evidence the committee reviewed the situation as affected by recent changes in Birmingham. First, there is the effect of the restrictions of the Central Control Board (Liquor Traffic) particularly in respect of a reduction of hours for the sale of intoxicating liquor, which

must inevitably lead to a greater or less degree of concentration of persons in public houses. Secondly, there has been a substantial reduction in the male population owing to the remarkable response of the men of Birmingham in answering the call to the colors. Thirdly, there has been an unprecedented influx of women workers. These three changes are likely to have exerted a profound effect upon the social life of the city and a relative increase, as well as an apparent increase, in the number of women attending public houses is unavoidable. Many of the witnesses who presented themselves to the committee had failed to appreciate the magnitude or effect of these changes.

21. The evidence the committee have had shows that *there are a large number of women who frequent public houses*, but they have *no evidence that any great number of these women are drinking to excess*, or that munition work is being materially delayed or interfered with on this account. The committee have no means of calculating the percentage of the female population who make use of the public houses, nor have they been able to arrive at any accurate figure with regard to the ages of those who do. The evidence was conclusive on the latter point, but from what the committee themselves saw they believe that the majority are over 21 years of age. Again, they have not found it possible to ascertain definitely whether the percentage of women using public houses is greater than before the war, but they think there is a strong presumption that the number is greater, not only actually but relatively to the population. They believe that this is due to various causes, but chiefly to the gradual alteration of public opinion with regard to greater freedom of manners and customs among women, and the increased wage now being earned by women and girls. They believe that the employment of women in the same industrial work as men has led to the gradual adoption by women of some habits and customs hitherto particular to men, and that the prevailing opinion among young people of both sexes no longer acts as a restraint and does not condemn a young woman for having a glass of beer or stout in a public house with or without her men friends. They think that this tendency to greater freedom of manners is likely to continue.

22. Further, they wish to record their deliberate opinion that public houses as constructed and conducted at present are most undesirable places of resort both morally and physically for young people of either sex.

23. The witnesses were almost unanimous in desiring that some measure should be taken to prevent young women frequenting public houses, but in view of the fact that this habit does not appear at present to involve either excessive drinking on the one hand or interference with munition work on the other, the committee have no alternative but to advise the Board that, within the terms of their reference, there is no immediate call for restrictions in this regard. They wish, however, to add that among the remedies which have been suggested to them are two which they think it well briefly to mention: (a) The improvement of public houses in order to render them fit and appropriate places for women and young people; (b) An order prohibiting the sale of intoxicants in licensed premises to women under 21.

(a) The improvement of conditions in public houses involves many difficult and controversial matters. If left to private effort it would probably be slight and of slow growth. If undertaken by the state or the municipality it would involve administrative questions of large dimensions which seem to the committee to lie outside the terms of their reference.

(b) The proposal to issue an order prohibiting the sale of intoxicants in licensed premises to women under 21 was supported by almost all witnesses before the committee. Such an order is a measure which would, if necessary, be adopted at once. It might have the effect of increasing home drinking and it would not necessarily keep young women out of public houses, and might therefore fail to protect them from the possibility of demoralizing influence. It is open to the objection that it involves administrative action for one sex only, and to justify such action a strong case of excessive drinking among that sex and at a certain age should be proved, which in this instance is not the case. Nor have the committee received any evidence indicating that such drinking as exists is interfering materially with the output of munitions. Many witnesses, however, although they recognized that there was little or no excessive drinking among women at the present time in Birmingham, were strongly in favor of such an order as a preventive measure, but the committee after careful consideration find themselves unable to recommend a preventive measure for one city only and where excessive drinking has not been proved. Such a preventive measure applied generally may be desirable but is outside the terms of their reference.

24. A modified form of this proposition to include boys and girls under 18 was suggested to the committee. For similar reasons to those above stated the committee are unable to recommend such a course of action.

25. Finally, the committee wish it to be understood that they recognize that a problem in respect of the relation between women and public houses does exist in considerable degree in Birmingham. Nor does it appear to be a passing phase only. But the solution of this problem seems to lie outside the reference to the committee.

(Signed) GEORGE NEWMAN, *Chairman*,
ELLEN F. PINSENT,
ELIZABETH MACADAM,
HILDA MARTINDALE.

G. C. BROOKE, *Secretary*.
10th August, 1916.

PART II—THE UNITED STATES

CHAPTER VI

Why America Tends toward Prohibition Rather than Control

The situation with respect to alcoholic drinks at the beginning of the war is somewhat difficult to summarize. Statistics of production and consumption are available and fairly reliable, but the question of drunkenness or national inefficiency is a very elusive one. The moral side of the problem has been presented in season and out of season by temperance reformers for several generations. Since we entered the war, however, the economic side of the question has been uppermost. Here, as in other countries, the argument for the repression of drink during the war has been based mainly on two forms of waste: first, the loss of efficiency through drunkenness, and second, the waste of food materials in the manufacture of potable alcohol.

Liquor control in this country, long before the war, came to mean prohibition, local, statewide or national. It was long ago found that with our liberal habits in the spending of money, high license and excise taxes had practically no effect on the amount of alcohol consumed. These devices increased the cost of drink to the drinker, but he has generally found the money to pay the price. Some unsatisfactory experiments have been tried with the dispensary system, but they have not inspired much public interest. It was naively argued that men drank, not so much because they wanted alcohol as because it was forced upon them by men who made a profit from its sale. This argument overlooked the fact that it is not easy to make a profit trying to sell something that is not wanted. There is no objection *per se* to pushing the sale of anything which it is desirable that people should buy. In fact, it may be highly advantageous to have an object of real utility placed before the people in the

most alluring forms. Were this not so, we could scarcely justify the preaching of Christianity, or the staging of a campaign for the sale of liberty bonds. The real objection to pushing the sale of alcohol must be based either upon the proposition that people ought not to drink it at all, or that they ought not to drink it except in moderation. Those who accept the proposition that people ought not to drink it at all, and reason logically therefrom, are likely to say that if people ought not to drink it, it ought not to be sold at all, either at a profit or without a profit. Those who take this position may admit that the monopolizing of the sale of liquor by the State might serve as a temporary makeshift until a more thorough method could be adopted, but beyond that they would not admit the validity of the argument for the dispensary system.

To one who takes this uncompromising attitude toward drink, an equally uncompromising attitude toward the manufacture and sale of drink is a logical necessity. He would see no better reason why the State should try to eliminate the evils by merely removing the profit making motive in the case of drink than in the case of sexual immorality. A State conducted brothel would be no more illogical to him than a State conducted saloon. As a matter of fact, publicly owned and conducted brothels have been about as common in the past as publicly owned and conducted saloons are today.

Perhaps the most incredible case to illustrate the power of the mores to extend toleration and sanction to an evil thing remains to be mentioned—the lupanars which were supported by the medieval cities. Atheneus says that Solon caused female slaves to be bought by the city and exposed in order to save other women from assaults on their virtue. In later times prostitution was accepted as inevitable, but it was not organized by the city. Salvianus . . . represents the brothels as tolerated by the Roman law in order to prevent adultery. Lupanars continued to exist from Roman times until the Middle Ages. Those in southern Europe were recruited from the female pilgrims from the north who set out for Rome or Palestine, and whose means failed them. It is another social phenomenon due to poverty and to a specious argument of protection to women in a good position. This argument came down by tradition with the institution. The city council of Nuremberg stated, as a reason for establishing a lupanar, that the church allowed harlots in order to prevent greater evils. . . . Such houses were maintained without

secrecy or shame. Queen Joanna of Naples made ordinances for a lupanar at Avignon, in 1347, when it was the papal residence. Generally the house was rented to a "host" under stipulations as to the food, dress, and treatment of the inmates, and regulations as to order, gambling, etc. The inmates, like the public executioners, were required to wear a distinctive dress. Frequenters did not need to practise secrecy. The houses were free to persons of rank, and were especially prepared by the city when it had to entertain great persons. Women who were natives of the city were not admitted. This is the only feature which is not entirely cynical and shameless. In 1501 a rich citizen of Frankfurt-am-Main bequeathed to the city a sum of money with which to build a large house into which all the great number of harlots could be collected, for the number increased greatly. They appeared at all great concourses of men, and were sent out to the Hansa stations. In fact, the people of the time accepted certain social phenomena as "natural" and inevitable, and they made their arrangements accordingly, uninterfered with by "moral sense."

All the authorities agree that the thing which put an end to the city lupanars was syphilis. It was not due to any moral or religious revolt, although there had been individuals who had criticized the institution of harlots, and some pious persons had founded convents, in the thirteenth and fourteenth centuries, for repentant harlots. Protestants and Catholics tried, to some extent, to throw the blame of the lupanars on each other. Luther urged the abolition of them in 1520. They reached their greatest development in the fifteenth century.¹

With a few names changed, this would sound strangely like an argument for the dispensary system to one who regards the drinking of alcohol as wrong in itself.

On the other hand, those who do not regard drinking as in itself undesirable, but object only to excessive drinking or drunkenness, have a better argument for the dispensary system. They may, with justice, contend that the tendency of those who sell anything for a profit is to push the sale, and use the arts of the salesman and the advertiser to persuade people to buy more than they otherwise would.

In some cases, to be sure, it is desirable that the sale of an article should be pushed and that many individuals should be persuaded to buy more than they would buy without the persuasion of the expert salesman and advertiser. In such cases, competitive selling works to the advantage of the buyer as well as

¹ From *Folkways* by William G. Sumner, Ginn & Company, Boston, 1907, Sections 582 and 583, pages 529-531. See also pages 256, 370 and 533-559.

the seller. But in the case of intoxicating liquor, even though one believes that a small quantity is good for the buyer, no one will deny that there are many who buy and consume too much. Competitive selling must be reckoned as one of the factors which increase the sales of intoxicating beverages, and therefore it must be reckoned as one of the factors in the production of drunkenness. To that extent, these facts would argue in favor of some method of dispensing liquors which would eliminate the profit making motive or any other motive which would spur manufacturers and dealers to great efficiency in their work.

On the other hand, it may be argued that if the consumption of moderate quantities of alcoholic liquor is beneficial, then it would be a good thing if abstainers could be persuaded to drink moderate quantities. Some motive ought therefore to be found which would push the business of selling liquor to those who drink too little. Missionary zeal could scarcely be depended upon to put the necessary energy into the business. Probably nothing could do this so effectively, that is, probably nothing would so stimulate the needed efficiency as the desire to prosper in the business of manufacturing and selling drink. This argues against the dispensary system and in favor of competitive selling.

In attempting to balance the two arguments, we need to consider whether the good which would come to the nondrinkers by inducing them to drink moderate quantities would more than balance the harm done to certain moderate drinkers by inducing them to drink immoderate quantities. Stated otherwise the question becomes, do the nondrinkers suffer more harm from drinking too little than the hard drinkers suffer from drinking too much? If so, the sale of drink to the nondrinkers ought to be pushed, even though, by so doing, certain moderate drinkers are transformed into immoderate drinkers. If not, the sale ought to be restricted, or at least, the business of selling ought not to become too efficient, lest the harm done by making moderate drinkers into drunkards should be greater than that done by failing to sell to teetotalers as much as they need.

The argument for the dispensary system is rather obviously based upon the following assumptions:

1. Moderate drinking is either harmless or beneficial.
2. Immoderate drinking is harmful.
3. Large numbers of men drink so immoderately as to do harm to themselves and to society.
4. The harm which results from the hard drinking of those who drink to excess is greater than that which results from the abstemiousness of those who abstain or drink very little.

The salient parts of this argument are the observed fact that much drinking is carried to such excess as to make it harmful, and the assumption that this harm is not compensated by any benefit which might come to abstainers if they could be induced by expert salesmanship or clever advertising to become moderate drinkers. There is thus believed to be a net loss to society through the high pressure selling of alcoholic drinks as that business is now carried on. This argument has proved fairly convincing to all the principal warring countries of Europe since the war began. The harmfulness of drunkenness has been accentuated in a time when any loss in the efficiency of its man power may result in disaster to the nation. No evidence has been presented to show any accentuated loss through too much sobriety. In European countries these considerations have led to measures for controlling the drink trade, the purpose being mainly to reduce the amount of excessive drinking and of drunkenness on the one hand, and to conserve a certain amount of food on the other. In the United States and Canada, however, the tendency has been to give a new impetus to the prohibition movement which has already been spreading very rapidly.

The difference in the attitude of the people toward drink on the two sides of the Atlantic is somewhat significant. The tendency in the old world is to look upon alcohol as either harmless or beneficial when taken in small quantities and to condemn only the excessive use of it. The tendency of the majority on this side of the Atlantic is to look upon alcohol with a kind of

abhorrence. This abhorrence is apparently not based upon any belief that even the minutest quantities of alcohol are necessarily harmful, and that even the most moderate drinker is therefore doing himself irremediable harm. It is rather based upon the observation that, in a large way, alcohol does great social harm. There is therefore little inclination to inquire precisely how much alcohol can be taken without harm to the taker. The observed fact seems to be that comparatively few people are capable of making that calculation, or, having made it, to stop at the right point. In fact, it seems to be observed that as a drinker approaches that point, he gradually loses his power of making nice, critical judgments, and is very likely to go beyond the proper limit. Having once passed that limit, he becomes further incapacitated for self-restraint, etc.

This presents an interesting problem in the psychology of social control. Can drunkenness, which every reasonable person desires to see reduced, be more effectively controlled by recognizing the propriety of moderate drinking while discountenancing heavy drinking and punishing drunkenness, or by discountenancing all drinking whatsoever and penalizing all manufacturing and selling of intoxicants? Something may be said on both sides, but the weight of public opinion in North America is growing more and more in favor of the latter policy.

In the actual practice of social control, both methods are and always have been used toward various practices which result in social harm. Nothing is wrong, of course, except that which can be shown to do positive injury to society or the nation. In some cases, social condemnation is limited to those excesses which can be shown to be socially harmful; in others, social condemnation is directed against every act which tends, in the large, to produce social harm, even though in many individual cases the individual act could not possibly be shown to have resulted in any direct harm. If the effect of the individual act is to break down the morale of the community, to make the people tolerant of acts which tend to be carried to excess and which, if carried to excess, result in harm, then the community

must, for its own protection, assume an austere and intolerant attitude.

The case of sexual immorality will serve as an illustration. It would in many cases be difficult or impossible to prove that any direct social harm had resulted. But there are two large and outstanding facts which must always be borne in mind. First, there is a powerful instinct tending to drive people to excess in this direction. Second, when carried to excess, great social harm results. In the interest of social control it is necessary that this powerful instinct be held in check by an equally powerful motive. That motive is the fear of social condemnation. If society becomes tolerant, and social condemnation grows weak, there will be no motive sufficient to counteract the power of the sexual instinct. That is the only sound reason why we never discuss the distinction between a moderate and an excessive amount of sexual promiscuity, nor try to decide at what point it becomes excessive. We are all taught, on the contrary, to view with abhorrence any departure whatever from the strictest monogamy. Needless to say, this emotional abhorrence is not a rational process, though there is a good reason for its existence. If we did not cultivate this emotional abhorrence, but tried instead to view every case in a coldly rational manner, there is not much doubt that society's control over the situation would be much less effective than it is today. There is no reasoning with an appetite. It can only be controlled by some kind of an emotional abhorrence.

The appetite for alcohol is by no means so powerful, so universal or so natural as that for sexual gratification, therefore there is not a complete analogy between the drink question and the sex question. There is, however, a partial analogy. One may repeat with respect to drink the two propositions upon which the policy of sex control is based. First, there is a powerful appetite which, if not counteracted, leads vast numbers of people to drink to excess. Second, when men drink to excess, great social harm results.

The first of these propositions, while indisputable, can not be

repeated with the same emphasis as would be justified in the case of the sexual instinct, for the reasons stated above. The second proposition, however, can be made quite as emphatic in the case of drink as in the case of sex. Excessive drinking is quite as harmful to society as excessive sexual indulgence, though the motive prompting to excess is less powerful as well as less universal in the case of drink. There is not, therefore, so strong a reason in the interest of social control for attaching moral turpitude to moderate drinking as there is to moderate promiscuity.

There is, however, a rather strong reason. This may be brought out by another comparison. Excessive indulgence in laughing gas would, if it were generally practised, probably be as harmful socially as excessive indulgence in alcohol, or as excessive promiscuity. If there were a powerful tendency leading vast numbers of people to this kind of excess, there would be need of a powerful engine of social control. It is not too much to expect that a kind of emotional abhorrence would develop toward any indulgence whatever in laughing gas. The more powerful the tendency toward excess, the more powerful, uncompromising, and intolerant the opposing tendency would have to be if society would save itself from destruction. If there were only a mild tendency toward excessive use of laughing gas, society would probably not concern itself very much about it. It would not be necessary that it should.

The question as to whether our system of social control over drunkenness should take the extreme form of regarding all drinking with moral abhorrence, or the conservative form of looking upon it with indulgence except when and where it became noticeably harmful, must depend, therefore, upon the strength of the tendency toward excess.

The observed fact seems to be that the tendency toward excessive drinking is much stronger in America than in Europe. Whether this is because of the more intense nature of Americans, due to their more stimulating climate, or because of the inferior quality of the liquor, or because of the larger incomes of the

Americans which enable them to buy stronger liquors or mild liquors in larger quantities, or because of all these factors combined, may be open to doubt. But there can be no doubt that this tendency toward excessive drinking has tended to produce its own antidote in the form of a positive and uncompromising hostility toward drink in all its forms.

This attitude has been particularly strong among those classes which always must dominate the social and political life of any progressive country. An aristocratic class is always and of necessity a decaying class unless invigorated by new blood from below. This new blood from below is likely to carry its own ideals with it. Therefore a purely aristocratic class can generally be ignored as a maker of permanent ideals. Proletarians who drink heavily are likely always to remain proletarians or to sink into the class of dependents. In a really progressive and democratic country the great middle class which increases in numbers, wealth and education is pretty certain to dominate the politics and the social life of the country. This class grows partly by its own power to prosper and to multiply and partly because of recruits from below due to the prosperity and growth in numbers of the more industrious, intelligent, sober and progressive of the wage workers.

In a country where the people show such tendencies to excess as in America, the people tend in the long run to divide themselves into two main groups—the nondrinkers and the hard drinkers. The moderate drinkers form a decreasing group. The hard drinkers can, in the long run, be ignored as makers of public opinion. If wealthy, they soon degenerate. If poor, they remain poor and tend to grow poorer. Those who rise in the scale of prosperity and education are those who are most securely fortified against destructive vices of all kinds. The most secure defense against a powerful and destructive appetite or passion is an emotional abhorrence of it. They who have developed this emotional abhorrence of drink tend in the long run to be more sober than they who try to reason about it coldly, just as surely as they who develop an emotional abhorrence of

unchastity tend, in the long run, to be more chaste than they who reason about it in a purely cold blooded manner.

The uncompromising attitude toward drink is reflected in the various prohibitory laws. These are merely attempts to put into statutory form the emotional abhorrence felt by a class which is steadily growing in power and influence. Even before the war had given a new impetus to the prohibition movement, it had become by far the most democratic and progressive movement in American political and social life. No other reform had shown such growth in the number of its supporters or spread so rapidly. Moreover, it had spread, in the main, without the avowed support of a powerful political party, and what is more important, it had spread almost entirely through the efforts of those who had nothing to gain from its success or to lose from its failure. To fail to grasp the significance of this large fact is to fail to understand even the first principles of the prohibition movement.

Seventy-five years of temperance agitation in this country have tended to produce that emotional abhorrence of alcohol which is now beginning to bear fruit in prohibitory laws. The temperance movement here has never been a scientific movement in a narrow and technical sense. Neither has the warfare against any vice. It can not be too often pointed out that there may be an excellent scientific reason for the existence of an emotion, though the emotion itself is not a scientific attitude. Love and patriotism are not scientific attitudes, though there are the best of scientific reasons for their existence. An emotional abhorrence of something which does great social injury is no more scientific than love or patriotism, but it has just as good scientific reasons for its existence as they have.

Rightly or wrongly, the chief efforts of temperance reformers in this country, whose methods have always resembled those of the religious evangelists, have been to create a widespread, emotional abhorrence of alcohol in all its forms. Prohibition is the logical outcome of the state of mind created by this long period of strenuous warfare against the evils of drunkenness. In this respect the American idea of temperance reform is seen to be

in harmony with, if not a part of, evangelical Christianity. So far as its attitude toward moral problems is concerned Christianity is nothing if not an emotional interest in that which is deemed to be good and an emotional hostility toward that which is deemed to be bad. To fail to understand that is to fail to understand not only temperance reform in America, but Christianity itself as it has developed in the United States and Canada where, more than anywhere else, it has become an agency for the control of ethical conduct.

Much has been written to show how difficult it is to enforce prohibitory laws. If one sets about it, one can find numerous instances of violation. But prohibitory laws do not suffer by comparison with any other laws for the suppression of vice or crime. There is no prohibition State in which the prohibitory law is not better enforced than laws against prostitution in the best of the nonprohibition States.

To argue that prohibitory laws can not be absolutely enforced is to show a complete inability to grasp the fundamentals of the problem. If a prohibitory law were not very difficult to enforce there would not be the slightest reason for having a prohibitory law. If it were not difficult to enforce a law against drink, it would argue that there was no very strong desire to drink liquor. If there were no very strong desire to drink liquor, it would not be worth while having a law to prevent drinking, however harmful it might be to those who saw fit to drink.

For example, it is doubtless as harmful to take laughing gas in excess as alcohol in excess. The same may be said of many other substances. But if no one cares to take it to excess, it would be rather silly to have a law to prohibit it. At the same time, if such a law were enacted, it would be easily enforced because no one would have any motive for breaking it.

Another illustration, at the opposite extreme, is found in the case of prostitution. Here there is a powerful motive leading people to break the law. That is what makes the law so difficult to enforce. But, at the same time, that powerful motive makes it absolutely essential that there should be something to

counteract it and hold it in control, otherwise it would drive men to harmful excesses.

Wherever you have two conditions, which will be named shortly, you will have: first, the necessity for legal control; second, great difficulty in effecting that control. These conditions are: first, a powerful motive leading to excess; second, harmful results following that excess. In the case of prostitution we have both these conditions. In the case of laughing gas we have only one. Name any case whatsoever in which only one of these conditions exists, and you have named a case which calls for no legal control or repression. If only the second condition exists, legal control is easy but unnecessary. Name any case whatsoever in which both these conditions exist and you have named a case which calls for legal control and repression, and in which that legal control and repression will be very difficult to enforce. In fact, complete enforcement will be absolutely impossible.

The only question, therefore, is, Does the drinking of alcohol form a case in which both conditions exist, or is it a case in which only one exists? That is to say, is it a case in which there is a powerful and widespread desire which leads to excess, and is that excess harmful, or is it a case in which there is no such powerful and widespread desire, or, if it exists, is it harmless? If it is a case of the former class, the powerful and widespread desire will lead large numbers to drink to excess, and the results of that excess will do great social harm. If it is a case where there is no particular desire which leads any considerable number to excess, even though such excess were theoretically harmful, there would be no great harm done by leaving men to themselves; or if there were a powerful and widespread desire leading to excess, but such excesses did no particular harm, again there would be no particular reason for legal control or repression.

It will scarcely be denied by any reasonable person that the drink question comes under the first class of cases. It unquestionably forms a case where there is a powerful and widespread

desire which leads large numbers to excess, and the results of that excess are exceedingly harmful. If there is any one who doubts either of these statements, he is welcome to his views. Ink is too precious to waste upon him.

Every one of the warring countries has been forced to recognize both facts and to undertake some kind of legal control or repression as a measure of war efficiency. The results of inefficiency are probably as truly present in time of peace as in time of war, but they are not so acutely felt, or likely to produce disaster in such spectacular forms.

For at least forty years before this war, the tendency in America had been toward prohibition rather than control as a method of solving the liquor problem. What is more important for our present purpose is the fact that, having that experience behind us, it was inevitable that our policy toward drink in war time should likewise be one of prohibition rather than of control.

CHAPTER VII

The Repression of Drunkenness

The arguments used in support of war time prohibition in this country were identical with those used in England in favor of liquor control. They are, first, the inefficiency which results from drunkenness on the part of those upon whom great responsibility rests, and second, the waste of food materials involved in the manufacture of alcoholic beverages. So far as the evil effects of drunkenness upon soldiers and sailors were concerned, there was not much room for popular discussion, nor much need of it. The higher administrative officials acted promptly, issuing orders forbidding the selling or giving of liquors to men in uniform. Most of the public discussion and popular agitation were directed against the waste of food materials.

Congress promptly passed a rather sweeping prohibition of the keeping or the sale of liquor by private agencies in any military camp and specifically forbade the sale of intoxicating liquor, including beer, ale and wine, to any officer or soldier in uniform. This prohibition was embodied as Section 12 of the act approved May 18, 1917, commonly called the Selective Draft Act, but officially entitled "An Act to Authorize the President to Increase Temporarily the Military Establishment of the United States."

Section 12 reads as follows:

That the President of the United States, as commander in chief of the army, is authorized to make such regulations governing the prohibition of alcoholic liquors in or near military camps and to the officers and enlisted men of the army as he may from time to time deem necessary or advisable: *Provided*, That no person, corporation, partnership, or association shall sell, supply, or have in his or its possession, any intoxicating or spirituous liquors at any military station, cantonment, camp, fort, post, officers' or enlisted men's club, which is being used at the time for military purposes under this

act, but the Secretary of War may make regulations permitting the sale and use of intoxicating liquors for medicinal purposes. It shall be unlawful to sell any intoxicating liquor, including beer, ale, or wine, to any officer or member of the military forces while in uniform, except as herein provided. Any person, corporation, partnership, or association violating the provisions of this section of the regulations made thereunder shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than \$1,000 or imprisonment for not more than twelve months, or both.¹

In the above act it was provided that the President, as commander in chief of the army, might make such regulations as he saw fit for the prohibition of alcoholic liquors in *or near* military camps. On July 25 the following regulation, among others, was issued by the President and the Secretary of War under authority of the above act:

No person, whether acting individually or as an officer, member, agent, representative, or employe of an individual, shall, in or within five miles of any military camp, except as hereinafter provided, sell or barter directly or indirectly, either alone or with any other article, any alcoholic liquor, including beer, ale, or wine, to any person, or give or serve any such alcoholic liquor to any person, except that this prohibition against serving or giving alcoholic liquor shall not apply to the serving of wines or liquors in a private home to members of the family or to *bona fide* guests therein other than officers or members of the military forces; and no person, whether acting individually or as a member, officer, agent, representative, or employe of any corporation, partnership, or association, or as an agent, representative, or an employe of an individual, shall send, ship, transmit, or transport in any manner, or cause to be shipped, transmitted, or transported in any manner, any alcoholic liquor, including beer, ale, or wine, to any place within five miles of any military camp, except for use in his home, as hereinbefore authorized; *Provided*, That where the existing limits of an incorporated city or town are within five miles of a military camp, the prohibition upon the sale, barter, gift, service, sending, shipment, transmission, or transportation of alcoholic liquors imposed by this regulation shall not apply to any part of the incorporated city or town distant more than one-half mile from said camp.²

On September 17, 1917, the President issued an executive order extending the above regulations to navy yards, naval sta-

¹ From Statutes of the United States of America, passed at the First Session of the Sixty-fifth Congress, 1917, page 82.

² From Bulletin No. 45, War Department.

tions, naval or marine camps or barracks where military forces are under training, as follows:

It is hereby directed that the term "military camps" employed in the regulations established by the President and published in Paragraph 1, Section III, Bulletin No. 45, War Department, dated July 23, 1917, shall be construed to refer, in addition to the cantonments and camps specified in Bulletin No. 48, War Department, dated August 22, 1917, to any navy yard, naval station, naval or marine camp or barracks, and any other establishment under the jurisdiction of the Navy Department, where military forces are under training.

WOODROW WILSON.

Even before the war, Secretary Daniels had forbidden the use of alcoholic drinks on vessels of the United States Navy. He was prompt in urging laws for the protection of navy yards, naval stations and other places under the jurisdiction of the Navy Department. In the *Official Bulletin* for May 22, 1917, the following statement was given out:

The Secretary of the Navy, having noted those sections in the recent law to provide for the temporary increase in the military establishment that relate to the restriction of the sale of intoxicating liquor to members of the military forces while in uniform, has decided that similar provisions for the welfare of the naval personnel would be desirable. Since April 6th last there have been about 40,000 new enlistments in the navy, mostly young men who are at an age when it is most important that they be trained and cared for under conditions that will not conduce to the formation of bad habits, especially those arising out of the use of intoxicating liquor.

Believing, therefore, that the well being of these numerous recruits, as well as that of the older men, would be promoted and that legislation similar to that for the army would be most salutary and beneficial for the efficiency of the navy generally, the Secretary of the Navy has addressed a letter to the Speaker of the House of Representatives, of which copies were furnished the Naval Affairs Committees of the House and Senate, urging favorable consideration of this question and submitting a draft of proposed legislation, as follows:

Draft of Proposed Law

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States, as commander in chief of the navy, be, and he is hereby, authorized to make such regulations governing the prohibition of alcoholic liquors in or near every place under the jurisdiction and control of the Navy Department and to the officers and enlisted men of the navy and marine corps and other forces of the United States serving with the navy or under the jurisdiction and control of the Navy Department, as he may from time to time

deem necessary or advisable: *Provided*, that no person, corporation, partnership, or association shall sell, supply, or have in his or its possession any intoxicating or spirituous liquors, at any navy yard, naval station, academy, war college, ammunition, or other depot, hospital, laboratory, experiment station, magazine, training station, or camp, officers' or enlisted men's club, aeronautic station, torpedo station, submarine, or other base, coal or other fuel plant, radio station, rifle range, marine barracks, post, depot, camp, or cantonment, which is being used at the time for naval purposes, but the Secretary of the Navy may make regulations permitting the sale, purchase, use, and possession of intoxicating liquors for medicinal purposes. It shall be unlawful to sell, furnish, or give away any intoxicating liquor, including beer, ale, or wine, to any officer or member of the naval forces while in uniform, except as may be authorized by regulations duly made as herein provided. Any person, corporation, partnership, or association violating the provisions of this section, or the regulations made thereunder, shall, unless otherwise punishable under the Articles for the Government of the Navy, be deemed guilty of a misdemeanor and be punished by a fine of not more than \$1,000 or imprisonment for not more than twelve months, or both.

On June 9, 1917, the *Official Bulletin* published the following:

The Navy Department authorizes the following:

Secretary Daniels has sent the following telegram to all naval stations:

The Department requested opinion Attorney General as to whether Section 12, Selective Draft Act, approved May 18, 1917, containing prohibition provisions, applies to naval forces. Attorney General replied, in part, as follows: "This Department has administratively construed the provision in question as covering the entire military establishment of the United States, including the navy and marine corps." Please give this matter widest publicity.

(Followed by prohibition provisions. See above, page 152.)

The matter was settled, however, by a special act of Congress, approved October 6, 1917, extending the provisions of Section 12 of the Selective Draft Act, to the navy as well as to the army. This act is entitled, "An Act to Promote the Efficiency of the United States Navy," and reads as follows: ¹

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in construing the provisions of Sections 12 and 13 of the Selective Draft Act, approved May 18, 1917, the word "army" shall extend to and include "navy"; the word "military" shall include "naval"; "Articles of War" shall include "Articles for the Government of the Navy"; the words "military station, cantonment, camp, fort, post, officers' or enlisted men's club," in Section 12, and "camp, station, fort,

¹ See Statutes of the U. S. A., Sixty-fifth Congress, page 393.

post, cantonment, training or mobilization place," in Section 13, shall include such places under naval jurisdiction as the President may prescribe, and the powers therein conferred upon the Secretary of War with regard to the military service are hereby conferred upon the Secretary of the Navy with regard to the naval service.

The Secretary of the Navy had meanwhile been active in controlling the situation so far as his authority would permit him to go, and also in urging upon the State authorities in those States where navy yards and naval stations were located the necessity of cleaning up the neighborhoods surrounding such stations. The *Official Bulletin* for June 20 and July 14, 1917, contains the following statements:

Secretary of the Navy Daniels has authorized the following statement:

"Having received numerous complaints of immoral conditions at the city of Newport, R. I., from citizens of Newport and from the parents of many of the young men now gathered there in the great Naval Training Station and the encampment of the Naval Reserve, I deemed it proper to call the matter to the attention of the Governor of Rhode Island.

"In reply the Governor returned to this Department a report from the Mayor of Newport, representing that there was no unusual degree of immorality in that city, denying the truth and justice of the complaints, and generally minimizing the situation. Thereupon this Department, through its own agents and with the assistance of the Department of Justice, instituted an investigation at first hand. As a result of that investigation, I have just sent to the Governor of Rhode Island a list in detail of some of the most notorious houses of prostitution and open gambling houses in Newport, also calling his attention to the extent and methods of illegal sale of liquor to sailors and naval reserve recruits, and informing him that the Department is ready to furnish him with further specific evidence if the State's own officers do not produce it." [June 20, 1917.]

Secretary Daniels has made the following statement:

"I have written the Governor of Pennsylvania a letter concerning conditions in Philadelphia near the navy yard, similar to the one I wrote the Governor of Rhode Island some time ago in regard to Newport. I have sent him a list of quite a number of places which are a menace to the young men in the navy and marine corps, giving him the names of saloons, gambling houses, and houses of ill-fame, giving streets and numbers. I have asked him to use his authority to have these places closed and to improve conditions there.

"Experts have made an investigation at Philadelphia, and I have sent their report to the Governor."

Asked whether he would take the same action at Philadelphia that he did at Newport, where guards were stationed in front of the houses, the Sec-

retary said he would not decide what action he would take until after he had heard from Governor Brumbaugh and learned what the local authorities would do, as he believed the State authorities would cooperate and close the places which are causing complaint.

"We have been investigating conditions surrounding all stations where we have recruits," Secretary Daniels said. "I have not written to any governor or any of the local authorities until I have had investigations made and could send them the facts in detail."

Asked who were conducting these investigations, he said that in some instances they were made by agents of the Department of Justice, in others by committees of the State Councils of Defense, by local committees, or by naval agencies. [July 14, 1917.]

Acting on the authority given by the Selective Draft Act as amended, the Secretary of the Navy established dry zones in the following order:

1. Section 12 of the Selective Draft Act, approved May 18, 1917 (see above, page 152).

2. This section is amended by the act approved October 6, 1917 (see above, page 155).

3. Under the authority of Section 12 above, as amended, the following regulations are established by the President, to continue during the present emergency:

(1) There is hereby established a zone five miles wide, circumjacent to the boundaries of every place under naval jurisdiction specified below. Alcoholic liquor, including beer, ale, and wine, either alone or with any other article, shall not, directly or indirectly, be sold, bartered, given, served, or knowingly delivered by one person to another within any such zone, or sent, shipped, transmitted, carried, or transported to any place within any such zone; *Provided*, That this regulation shall not apply to the giving or serving of such liquor in a private home to members of the family or *bona fide* guests, other than officers or members of the naval forces; *Provided also*, That this regulation shall not apply to the sale or gift of such liquor by registered pharmacists to licensed physicians or medical officers of the United States for medical purposes, or to the administering of such liquor by or under the direction of such physicians or medical officers of the United States for medical purposes, or to the sending, shipping, transmitting, carrying, or transporting of such liquor to registered pharmacists, licensed physicians, or medical officers of the United States for use as aforesaid.

(2) Until otherwise ordered the places under naval jurisdiction referred to above are specified as follows:

Naval Academy, Annapolis, Md.

Naval Training Station, Newport, R. I.

Naval Training Station, Norfolk, Va.

Naval Training Station, Great Lakes, Ill.

Naval Training Station, Naval Operating Base, Hampton Roads, Va.

Training Camp, Navy Yard, Mare Island, Cal.

Marine Barracks, Paris Island, S. C.

Marine Barracks, Quantico, Va.

(3) Outside of said zones, alcoholic liquor, including beer, ale, and wine, either alone or with any other article, shall not directly or indirectly, be sold, bartered, given, served, or knowingly delivered to any officer or member of the naval forces, except when administered for medical purposes by or under the direction of a regularly licensed physician or medical officer of the United States; *Provided*, That this regulation shall not apply to the giving or serving of such liquor in a private home to members of the family or *bona fide* guests.

(4) Nothing contained in these regulations shall be construed to prohibit or restrict the procuring or use of wine by any religious congregation or church for sacramental purposes in the usual religious exercises of its denomination.

(5) The words "station, cantonment, camp, fort, post, officers' or enlisted men's club" as used in the proviso to Section 12, above quoted, shall include all places under naval jurisdiction. The use of intoxicating liquor in such places, by or under the direction of licensed physicians or medical officers of the United States, for medicinal purposes, is authorized by the Secretary of the Navy.

(6) All prior violations of former regulations and all penalties incurred thereunder shall be prosecuted and enforced in the same manner and with the same effect as if these superseding regulations had not been established.

(7) This order shall take effect Saturday, 16 March, 1918, at 4 o'clock post-meridian.¹

JOSEPHUS DANIELS.

The army and the navy having been put on precisely the same basis so far as war prohibition was concerned, the following rulings apply to both alike:

The War Department authorizes the following:

Purveyors of "soft drinks" will be permitted to set up their establishments within the two-mile "dry" zone which will surround the 16 new army cantonments. Although the War Department has issued no rules as regards granting concession privileges to dealers in ice cream and soda water, it is understood that the regulations now in force with respect to army posts will apply.

There will be an effort on the part of the War Department to make the dry zone as "wet" as possible, within the limits of absolute temperance; which means that would-be concessionaires may make application to the cantonment commanders, and, if they are able to prove that they will sell only "soft drinks" will be permitted to set up their tents and go ahead.²

¹ From *Official Bulletin*, March 13, 1918.

² *Ibid.*, June 20, 1917.

The *Official Bulletin* is publishing a course of 30 lessons for the benefit of men selected for service in the National Army as a practical help in getting started in the right way. [Lesson No. 10 contains the following]:

Congress has provided that "it shall be unlawful to sell any intoxicating liquor, including beer, ale, or wine to any officer or member of the military forces while in uniform," an exception being made in a case of liquor required for medical purposes. Under authority of the same act, it has also been ruled that alcoholic liquors shall not be sold within five miles of any military camp, an exception being made in case there is an incorporated city or town within that limit. It has further been provided that "the keeping or setting up of houses of ill-fame, brothels, or bawdy houses within five miles of any military camp . . . is prohibited." All these provisions and restrictions are in the interest of every right-minded soldier. They go a long way toward insuring clean and healthful living conditions in the camps. They will help to make every soldier more efficient and better able to give a good account of himself. [August 23, 1917.]

The Secretary of War has issued the following statement:

Considerable confusion has arisen concerning the purpose and meaning of the new regulations under Section 12 of the Draft Act, in regard to the sale, gift, and serving of liquor to soldiers in uniform.

The purpose of these regulations is to facilitate the detection and conviction of bootleggers who have been furnishing liquor to soldiers outside the zones surrounding the camps.

Heretofore gifts of liquor to soldiers outside such zones did not violate either the law or the regulations thereunder. Much liquor was being furnished soldiers by bootleggers who operated out of saloons, in alleys, in rooms in hotels, rooming houses, and other secret places. It was almost impossible to prove sales in such cases and many lawbreakers escaped prosecution, because the only offense that the law or the regulations covered was the sale of liquor to soldiers.

The regulations do not relax in any way the grip which the government has on the situation, but, on the contrary, greatly strengthen this grip. It will now be possible to convict the vast majority of bootleggers who are found handing liquor to soldiers without having to prove a sale. The exception as to the private homes outside zones does not give any liberty of action which did not already exist before these new regulations were promulgated, and, moreover, does not allow any subterfuge which would violate either the letter or the spirit of the law.

If this exception is abused I shall not, of course, hesitate to recommend to the President the further extension of the regulations.¹

The *Official Bulletin* for February 26, 1918, contains a statement which says in substance that the rule against giving, selling (etc.) liquor to soldiers will not be relaxed, according to an

¹ *Official Bulletin*, February 23, 1918.

announcement by R. B. Fosdick, Chairman of the War Department Commission on Training Camp Activities; also that the definition of the term "military camp" has been enlarged to embrace training camps for the Ordnance and Quartermaster's Departments and medical officers throughout the United States, Hawaii and Porto Rico.

The *Official Bulletin* of March 9, 1918, contains the following:

The Secretary of the Navy has signed a general order, publishing regulations to continue during the present emergency, under Section 12 of the Selective Draft Act, as made applicable to the naval service. These regulations govern the prohibition of alcoholic liquors in or near certain places under naval jurisdiction and to the officers and enlisted men of the navy. They are similar to those issued by the War Department in Bulletin No. 5 of February 8, 1918, except that the width of the "dry zone" surrounding the designated naval stations is uniformly five miles, irrespective of whether or not an incorporated city or town lies within such distance.

Until otherwise ordered, the following stations are affected by these regulations:

- Naval Academy, Annapolis, Md.
- Naval Training Station, Newport, R. I.
- Naval Training Station, Norfolk, Va.
- Naval Training Station, Great Lakes, Ill.
- Naval Training Station, Naval Operating Base, Hampton Roads, Va.
- Training Camp, Navy Yard, Mare Island, Cal.
- Marine Barracks, Paris Island, S. C.
- Marine Barracks, Quantico, Va.

Within the five-mile zones about these places alcoholic liquors, including beer, ale, and wine, shall not, either directly or indirectly, be sold, given, served, or knowingly delivered by one person to another, except that this shall not apply to the giving or serving of such liquor in a private home to members of the family or *bona fide* guests other than officers or members of the naval forces, or to the sale or gift of such liquor by registered pharmacists to licensed physicians or medical officers of the United States for medical purposes, or to the administering of such liquor by them for this purpose. The shipment of liquor to any place within these zones is also prohibited, except to a private home or to registered pharmacists, licensed physicians, or medical officers for medical purposes.

Outside of these zones liquor shall not, directly or indirectly, be sold, given, served, or knowingly delivered to any officer or member of the naval forces, except for medical purposes by a licensed physician or medical officer, with the provisions that this regulation shall not apply to the giving or serving of such liquor in a private home to members of the family or *bona fide* guests. The Secretary of the Navy hopes, however, that the public at large

will refrain from offering to members of the naval forces, particularly the younger element, any intoxicating liquor, even in private homes outside of the "dry zones."

The article goes on to state that the Secretary of the Navy also issued a statement saying that these regulations had been made necessary by the existence of unbearable evils near the areas above mentioned. Mr. Daniels received many letters from officers in charge of training stations, calling attention to the need of some such regulations.

On December 26, 1917, the following resolution was passed at a meeting of the Newport War Camp Community Service Committee on Training Camp Activities, the members of which were elected at a town meeting by citizens.

"Whereas the presence of liquor in Newport might be a source of disaster to vital government interests, and

"Whereas the President of the United States has the authority to prohibit intoxicating liquor being sold within a specified distance of naval or military posts: Be it

"Resolved, by the Newport War Camp Service Committee on Training Camp Activities, that the President of the United States be requested to direct that no liquor be sold in Newport, and that, through the control of the source of the supply of liquor by internal revenue officials, no intoxicating liquor be allowed to be sent to Newport."

On December 17, 1917, the inspector of ordnance in charge at the torpedo station at Newport wrote:

"It is believed that every danger against explosion has been guarded against except one. This one is the presence of many saloons in the city of Newport. Liquor is brought to the torpedo station in spite of efforts to keep it out. Workmen have been discharged and men have been court-martialed and punished. The Newport saloons may pretend to refuse to sell liquor to the men in uniform. There are bottle gangs in the streets that do a thriving business. Men of the bottle gang are occasionally arrested and given a few weeks in jail, but this does not prevent nor deter others from selling liquor. I believe that the ease with which liquor can be obtained by men in uniform is a source of constant and ever present danger to the torpedo station, to the vital needs of the military situation, and actually inviting a disaster that would be inconceivably terrible. It would paralyze the torpedo station and the ships of the navy yet to be commissioned."

Again, on December 27, 1917, the same officer wrote:

"The safety of this station, and the tremendous quantities of torpedoes held here for issue imperatively demand that every factor of danger should

be removed. At the present time no factor can be considered negligible. The presence of liquor in Newport is a source of danger."

Under date of February 19, 1918, two reports have been received by the Commission on Training Camp Activities from their representatives at Newport, from which the following is quoted:

"Bootlegging needs attention. Uniformed men experience little difficulty in obtaining all the liquor they want, judging from observations made and from admissions of the 'boys' themselves. Five actual bootlegging instances were seen in which three saloons and one grocery and liquor store figured. . . . All sailors who were interviewed admitted that booze is easily obtained."

These measures having been taken for the prevention of drunkenness in the army, the next great problem was that of preventing it among the civilian population. Nearly everyone had recognized the wisdom of these laws as applied to men in military and naval service. At any rate, they seem to have been accepted by the general public with very little opposition or even discussion. But when the public itself is expected to remain sober, it is another question. Most of us are Puritans in our ideas as to what is good for other people, but as for ourselves we prefer to do as we please without hindrance from the government.

It can not be very much worse for a soldier or a sailor to be drunk than for an officer of government, a manager or a worker in a munition plant, a coal mine, or a shipyard. During the coal shortage in the winter of 1917-18, the fuel administrator for the city of Philadelphia found it necessary to forbid the sale of intoxicating liquor to the drivers of coal teams during working hours. This is merely a sample of the value of sobriety among the civilian workers. The argument that these men have always been used to alcoholic drink, and therefore can not be expected to get along without it, applies equally well to soldiers and sailors. The difference seems to be that soldiers and sailors are under discipline and not supposed to take much part in politics. Therefore they accept, perhaps with grumbling, but without political agitation, such laws and regulations as are placed over them. Others do not.

Here, again, we are in contact with one of the disagreeable, but outstanding, facts of our social life, namely, that the carrying on of a great war is as much of a demagogic as of an administrative or military problem. The question, what can the people be led to do? is quite as important as the question what ought they to do. It was repeatedly urged by men in all sorts of positions, that whatever the merits of the prohibition question, the people would not stand it; that if prohibition were carried, even by overwhelming majorities, the workingmen would rebel against the majority and refuse to work, thus crippling the government in the prosecution of the war.

It could be shown, however, that the government was already being crippled through the inefficiency caused by drunkenness. One of the limiting factors is coal; but the output of coal, it is repeatedly claimed, was reduced by the tendency of considerable numbers to get drunk on Sunday and to be unfit for work on Monday. But, on the other hand, it was urged that if they were not permitted to get drunk, they would rebel and refuse to work at all.

This poor opinion of the quality and the loyalty of workingmen was freely expressed by men in high position in the federal and State governments, as well as by their own accredited leaders. Senator Lodge, of Massachusetts, is quoted in the *Official Bulletin* of June 29, 1917, as follows:

[The Senate debated over the Food Bill in session June 28, 1917.] Senator Lodge made a speech in opposition to the recommendations in the bill to prohibit the manufacture of beer. The element above all else to be considered, he said, was a united public sentiment, which was a great motive force behind this war. He pointed out that a considerable portion of the people did not consider beer a harmful thing and that it would arouse resentment and anger to stop it at a time when the country ought to be united. "Whatever clamor is raised now," said Senator Lodge, "there is one thing the American people will not forgive—and that is anything that will divide sentiment and thus hinder us in the task of winning the war."

This would seem to be an admission that prohibitionists were loyal enough to support the government even if it permitted liquor to be manufactured and sold as usual, and at the same time an expression of fear lest the anti-prohibitionists might not

be loyal enough to support the government if it interfered with the liquor business. If this confidence, on the one hand, and fear on the other, were well grounded, they would furnish a sound argument in favor of letting things alone. In a time of crisis the government must always, unfortunately, placate the less loyal elements—those who are thoroughly loyal will support the government anyway. If the confidence and fear expressed above were reversed, that is, if there was a well grounded fear that the prohibitionists would refuse to support the government unless it prohibited liquor, and a well grounded confidence that the anti-prohibitionists would support the government anyway, the alarmists would undoubtedly have said, by all means let us have prohibition in order that there may be “a united public sentiment.”

Of course, if it were a question of distracting public attention from the war rather than of dividing public sentiment regarding it, the case would be different. There are numerous humiliating examples of reformers who are busy pestering the President and Congress over reforms which have nothing to do with the war, but which the agitators hope that the government will adopt merely to get rid of the nuisance of agitation. As pointed out in the beginning of this monograph, temperance reform has been pressed as a war measure not at all by those who have anything personal to gain from it, but by those who see that the conservation of man power and food materials is vital to the effective prosecution of the war. In fact, the measures for the elimination of drunkenness and the conservation of food materials have been enacted mainly by those who have never taken any active interest in temperance reform as such.

The same doubts as were expressed by Senator Lodge as to the willingness of the anti-prohibitionists to support the government in the event of prohibition, were expressed by Mr. Samuel Gompers. He is quoted as saying in the *Washington Post* for December 17, 1917:

A large number of Americans, whether natives or by adoption, drink beer, and in some instances light wines, as a part of their daily meals. Is

prohibition or the threat of prohibition calculated to tranquillize and win them to the support of our country and the great cause in which we are engaged—or otherwise? Is it wise to bring so great a controversial question to the foreground during these crucial days when we need the united support, in spirit and action, of all our people?

On the other hand, it was urged that many States and parts of States are already dry, and that workers in these dry States and districts had shown no disposition to shirk the duties of citizenship because of the difficulty of securing drink. To this it was replied, first, that prohibition is not very well enforced, and, second, that the prohibition States are those with the lowest percentages of foreign born population. Presumably the loyalty of the foreign born may not be quite so strong as that of the native born, and their attachment to drink may be a little stronger. Therefore there may be some ground for the uneasiness lest national prohibition, which would undoubtedly be enforced more effectively than local prohibition, and which would apply to our large cities made up largely of foreign born peoples who have not yet become strongly attached to our country, might provoke resentment and even hostility. No doubt the pro-German element would be prompt in taking advantage of every latent discontent of this kind.

At any rate the question resolves itself into this: Is the danger of loss of man power through the disloyalty of the would-be drinkers under prohibition greater than that of the loss of man power through drunkenness in the absence of prohibition. So far as the army and navy are concerned, the authorities evidently think that it is not. They fear drunkenness under non-prohibition in the army camps, navy yards, etc., more than they do resentment and disloyalty under prohibition. The political leaders of the civilian population, however, do not all seem to have the same confidence in the loyalty of their followers.

CHAPTER VIII

The Conservation of Food Materials

At the time of our entrance upon the conflict, the food question had become one of the principal questions of the war. The slogan, "Food Will Win the War," was sounded almost immediately. The unscrupulous U-boat campaign was the cause of a threatened food shortage in France and England, and at the same time the culmination of a long series of barbaric acts which were driving us into the war. Next to the organization and training of an army, the most stupendous task laid upon this country was that of supplying food to those with whom we had taken sides. A vigorous campaign for the conservation of food was started almost immediately. Though officially this had nothing to do with war time prohibition, it did not take long for large numbers of people to see that one very important source of waste was the manufacture of potable alcohol. Even if the mass of the people had been slow to see this point, they could not long ignore it because the organized temperance forces of the country began actively calling attention to it.

Unfortunately, however, there were at first no authoritative statistics published as to the exact amounts of food materials used in the liquor industries. The reports of the Commissioner of Internal Revenue contained the figures as to the materials used in the manufacture of distilled spirits, but not in the manufacture of malt liquors. Various estimates were made, however, but they did not all agree.

The matter was settled finally by the publication of authentic figures in the Crop Report of the United States Department of Agriculture for May, 1917. These figures were taken from the

records of the Commissioner of Internal Revenue, and virtually closed the discussion. The table follows:

**MATERIALS USED TO MAKE ALCOHOLIC LIQUORS IN THE
UNITED STATES DURING THE FISCAL YEAR ENDED
JUNE 30, 1916**

(United States Internal Revenue figures)

Material	For fermented liquors.*	For distilled spirits.	Total.
Malt (expressed in terms of barley), bushels	52,439,973	4,073,262	56,513,235
Corn, bushels	†13,573,521	32,069,542	45,643,063
Rye, bushels	§	3,116,612	3,116,612
Oats, bushels	§	9,807	9,807
Wheat, bushels	§	3,373	3,373
Barley, bushels	§	148	148
Rice, bushels	†2,354,000	\$.....	2,354,000
Other materials reported, in bushels.....	72,355	68,822	141,177
Total grain, included above	68,439,849	39,341,566	107,781,415
Grape sugar or maltose, pounds.....	54,934,621	\$.....	54,934,621
Hops, pounds	37,451,610	§	37,451,610
Molasses, gallons	\$.....	152,142,232	152,142,232
Glucose or sirup, gallons	2,742,854	\$.....	2,742,854
Other materials—			
In gallons	19,112	.....	19,112
In pounds	24,756,974	.....	24,756,974

* Totals for materials used for fermented liquors were compiled by the Bureau of Crop Estimates, United States Department of Agriculture, from unpublished records of the Commissioner of Internal Revenue.

† Includes cerealine and grits.

‡ Rice, reported as 141,249,292 pounds. Estimated roughly as 2,354,000 bushels.

§ Included, if any, in "Other materials."

Reducing the seven principal items in this table to pounds in order to get a common denominator, we get the following quantities:

Barley	56,513,235 bushels	× 48 =	2,712,635,280 pounds
Corn	45,643,063 bushels	× 56 =	2,556,011,528 pounds
Rye	3,116,612 bushels	× 56 =	174,530,272 pounds
Rice			141,249,292 pounds
Grape sugar or maltose			54,934,621 pounds
Molasses	152,142,232 gallons	× 11 =	1,673,564,552 pounds
Glucose or sirup.....	2,742,854 gallons	× 11 =	30,171,394 pounds
Total			7,343,096,939 pounds

The question was rather persistently asked, why urge our people to economize in food as a patriotic measure, and at the

same time allow this large item of waste to continue? It was pointed out, of course, that this was only a small fraction of the total food produced in the country, the grain used being between two and three per cent of our total grain crop. On the other hand, the point was made that no single item of wasted food amounts to a very large percentage of the total food production of the country, and that food conservation means the elimination of all these items of waste, even though each one, taken separately, may be relatively small.

So far as distilled spirits were concerned, there was little difference of opinion among those in positions of high responsibility. Opinion was divided as to the best policy to pursue with respect to "malt and vinous liquors." Congress promptly prohibited the use of food materials for the manufacture of distilled spirits for beverage purposes, but threw upon the President the responsibility of deciding what to do with the question of beer and wine. In an act, commonly called the Food Conservation Act, but officially entitled "an act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, it was provided as follows:

Section 15. That from and after 30 days from the date of the approval of this act no foods, fruits, food materials, or feeds shall be used in the production of distilled spirits for beverage purposes; *Provided*, That under such rules, regulations, and bonds as the President may prescribe, such materials may be used in the production of distilled spirits exclusively for other than beverage purposes, or for the fortification of pure sweet wines as defined by the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916. Nor shall there be imported into the United States any distilled spirits. Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes, or that reduction of the alcoholic content of any such malt or vinous liquor, is essential, in order to assure an adequate and continuous supply of food, or that the national security and defense will be subserved thereby, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated. Whenever such notice shall have been given and shall remain unrevoked no person shall, after a reasonable time prescribed in such notice, use any foods, fruits,

food materials, or feeds in the production of malt or vinous liquors, or import any such liquors except under license issued by the President and in compliance with rules and regulations determined by him governing the production and importation of such liquors and the alcoholic content thereof. Any person who wilfully violates the provisions of this section, or who shall use any foods, fruits, food materials, or feeds in the production of malt or vinous liquors, or who shall import any such liquors, without first obtaining a license so to do when a license is required under this section, shall be punished by a fine not exceeding \$5,000, or by imprisonment for not more than two years, or both; *Provided further*, That nothing in this section shall be construed to authorize the licensing of the manufacture of vinous or malt liquors in any State, Territory, or the District of Columbia, or any civil subdivision thereof, where the manufacture of such vinous or malt liquor is prohibited.

Section 16. That the President is authorized and directed to commandeer any or all distilled spirits in bond or in stock at the date of the approval of this act for redistillation, in so far as such redistillation may be necessary to meet the requirements of the government in the manufacture of munitions and other military and hospital supplies, or in so far as such redistillation would dispense with the necessity of utilizing products and materials suitable for foods and feeds in the future manufacture of distilled spirits for the purposes herein enumerated. The President shall determine and pay a just compensation for the distilled spirits so commandeered; and if the compensation so determined be not satisfactory to the person entitled to receive the same such person shall be paid 75 per centum of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum, will make up such amount as will be just compensation for such spirits, in the manner provided by Section 24, Paragraph 20, and Section 145 of the Judicial Code.¹

Inasmuch as the above act authorized the President to prohibit, restrict or regulate the manufacture of malt and vinous liquors, pressure was immediately brought to bear upon him to exercise this authority given him by prohibiting the manufacture and sale of these liquors also. Pressure was also exerted in the opposite direction. On the 8th of December he issued a proclamation reducing by 30 per cent the quantity of food materials used in the manufacture of these liquors, and reducing the alcoholic content of all malt liquors except ale and porter to 2.75 per cent.

The following is a copy of the proclamation:

¹ From Statutes of the United States of America, passed at the First Session of the Sixty-fifth Congress, 1917, Chapter 53, page 282.

[LIMITING ALCOHOLIC CONTENT OF MALT LIQUOR]

By the President of the United States of America

A PROCLAMATION

Whereas, under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on August 10, 1917, it is provided in Section 15, among other things, as follows:

"Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes, or that reduction of the alcoholic content of any such malt or vinous liquor, is essential, in order to assure an adequate and continuous supply of food, or that the national security and defense will be subserved thereby, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated. Whenever such notice shall have been given and shall remain unrevoked, no person shall after a reasonable time prescribed in such notice, use any foods, fruits, food materials, or feeds in the production of malt or vinous liquors, or import any such liquors except under license issued by the President and in compliance with rules and regulations determined by him governing the production and importation of such liquors and the alcoholic content thereof;"

Now, therefore, I, Woodrow Wilson, President of the United States of America, by virtue of the powers conferred on me by said act of Congress, do hereby find and determine that the national security and defense will be subserved by the limitation of the amount of foods, fruits, food materials and feeds used in the production of malt liquor, and by reduction of the alcoholic content of malt liquor produced in the United States. And by this proclamation I prescribe and give public notice that on and after January 1, 1918, the total amount of foods, fruits, food materials and feeds used by any person in the production of malt liquor shall not exceed seventy per cent (70%) of the average consumption of any such foods, fruits, food materials, or feeds in the production of such malt liquor by such person during the period from January 1, 1917, to January 1, 1918, the unit of time to be fixed by regulation; and that on and after January 1, 1918, no malt liquor except ale and porter shall be produced in the United States containing more than two and three-quarters per cent (2.75%) of alcohol by weight.

No person shall, after January 1, 1918, use any foods, fruits, food materials, or feeds in the production of malt liquor, unless he secures a license so to do, to be issued by the Commissioner of Internal Revenue, and complies with rules and regulations to be hereafter promulgated governing the production of such liquor and the alcoholic content thereof; and no person shall import any such liquor except under license to be issued by the Division of Customs, Treasury Department, and in compliance with any rules and regulations governing the importation of such liquors which may be promulgated.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this 8th day of December in the year of our Lord one thousand, nine hundred and seventeen, and of the Independence of the United States of America the one hundred and forty-second.

[SEAL]

WOODROW WILSON.

By the President:

ROBERT LANSING, *Secretary of State*.

Aside from the direct restriction of the output of beer, the federal Fuel Administration restricted the amount of coal which could be used by breweries, as nonessential industries. This was in striking contrast with the attitude of the fuel administration of several of the States, who took the absurd position that there were no nonessential industries, and refused to cut down the coal supply of breweries even when munition factories and other industrial establishments engaged in making war materials were handicapped through lack of coal. The *Official Bulletin* for January 9, 1918, published the following significant statement:

One of the striking instances of curtailment is in the brewing industry. Representatives of the American Brewers' Association and others affiliated with the industry came to Washington last week and after a conference with the Fuel Administration volunteered a reduction of 700,000 tons (of coal) annually.

Following the President's proclamation restricting the amount of food materials which might be used in the manufacture of malt liquor, the Food Administration issued an order forbidding all purchase of grain for malting until rules could be formulated for carrying out the purposes of the proclamation. The *Official Bulletin* for February 16, 1918, contains the following:

In order to insure a greater supply of cereals which may be substituted for wheat the United States Food Administration has sent the following telegram to all maltsters throughout the country:

"You are directed, until rules governing maltsters are issued, to cease all purchases of barley and other grains for malting."

It is estimated that the maltsters now have on hand a sufficient supply of barley and other grains to last from three to six months.

Later it was ruled that the restriction of the use of grain for malting purposes applied to near beer and temperance drinks as well as to beer of full alcoholic strength; though, of course, the rule relating to the reduction of the alcoholic content of beer could have no bearing on drinks which either contain no alcohol, or less than 2.75 per cent. The *Official Bulletin* for March 1, 1918, says:

Near beer and temperance drinks which fall within the designation of malt liquor will not profit from the President's recent proclamation, which limited brewers of beer to 70 per cent of the amounts of grains and other food materials that were used last year.

The Food Administration rules that the proclamation applies the same limitation to so-called temperance beers, as well as beers and ales. These prohibition beverages naturally are not affected by the limitation of alcoholic content, but they are affected by the limitation of the amounts of grain and foodstuffs which may be used in their manufacture.

On March 9, 1918, the Food Administration having promulgated rules for carrying out the terms of the President's proclamation, again gave permission to purchase grain for malting purposes. The *Official Bulletin* for that date publishes the following:

The Food Administration authorizes the following statement:

The United States Food Administration has promulgated special rules limiting the manufacture, storage, and distribution of malt, devised to restrict the manufacture of malt to the minimum absolutely required for legitimate purposes until the new grain crop is available. This is in line with the President's recent proclamation limiting the amount of grain which can be used by brewers to 70 per cent of last year's consumption.

The Food Administration's order of February, temporarily stopping altogether the purchase of barley and other grains by maltsters, is now abrogated, since it was to remain in effect only until these general rules were issued.

By the new rules maltsters are forbidden to malt more than 70 per cent of the amounts of grains used by them for the corresponding six months periods last year. Malt used last year in the manufacture of yeast, malt extract, malt flour, or vinegar, is not to be counted in calculating the amounts to be permitted this year.

Maltsters are forbidden to carry over the summer any of this year's grains and to malt any of it after July 1.

They are forbidden to have in hand or under control at any time more grain and malt and grain being malted than the equivalent of 120 days' out-

put, and can not have more than a 60 days supply of unmalted grain on hand at any time.

Contracts are forbidden involving delivery later than 120 days afterward, except in the case of contracts with the Government of the United States or that of any of the Allies. This rule, however, does not invalidate any contract made before February 15, 1918.

Maltsters are further forbidden to sell malt to any persons except brewers licensed by the Commissioner of Internal Revenue, or registered distillers, or yeast manufacturers, or manufacturers of malt flour or malt extract, or manufacturers of vinegar, except by special written permission of the Food Administration. They are forbidden to deliver malt in excess of the purchaser's requirements for the next 60 days, and between May 1 and August 15 the amount delivered shall not exceed the purchaser's requirements up to October 15.

Brokerage on sales of malt either by the maltster or through a broker, agent, salesman, or any representative is limited to 2 cents a bushel, and no sales are permissible except by signed contract.

The purpose of the limitation of the use of grains by brewers to 70 per cent of the amounts they used last year and of these regulations of maltsters, which are in accord with those limitations, is to insure a greater supply of cereals which may be substituted for wheat.

Various efforts were made from time to time to get Congress to act in the matter and prohibit the use of food materials in the production of all alcoholic beverages, as it had already done in the case of distilled spirits. One of the most significant of these was a provision attached as a rider to the Food Production Act for 1919. This act was introduced as H. R. 11945 and is entitled: An Act to Enable the Secretary of Agriculture to Carry Out, during the Fiscal Year Ending June 30, 1919, the Purposes of the Act Entitled "An Act to Provide Further for the National Security and Defense by Stimulating Agriculture and Facilitating the Distribution of Agricultural Products." It authorizes the appropriation for the use of the Department of Agriculture of various sums for various purposes, among others the increasing of food production and elimination of waste. The part relating to this subject reads as follows:

Fourth. For increasing food production and eliminating waste and promoting conservation of food by educational and demonstrational methods, through county, district, and urban agents and others; for the following stated purposes and in amounts as follows: General administration of extension work, \$35,000; home economics work, \$25,000; extension work in the

northern and western States, \$134,200; county agent work, \$1,893,000; boys' and girls' club work, \$382,900; home demonstration work, \$1,327,400; extension work in the southern States, \$90,000; county agent work, \$1,333,815; boys' club work, \$75,300; home demonstration work, \$803,385; in all, \$6,100,000. *No part of this appropriation shall be available for any purpose unless there shall have been previously issued the proclamation authorized by Section fifteen of the act of August tenth, nineteen and seventeen, entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," such proclamation being the prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes.*¹ [Italics author's.]

Discussion over this proviso raged fiercely, though the opposition of the Administration tended to throw cold water upon it. The fear seemed to be that it would interfere too drastically with the habits of large numbers of people. It was also urged that, under the rule reducing the alcoholic content of beer to 2.75 per cent, the evil of drunkenness would be greatly reduced, and that some saving of food materials had already been effected by the rule limiting the brewers to 70 per cent of the food materials formerly used up in the manufacture of their product. On the other hand, it was argued that while undoubtedly both rules were good so far as they went, they did not go far enough. Why, it was asked, should we waste any food in the production of a nonessential, and why should we allow an intoxicating beverage to be manufactured at all, even though it is less strong and less intoxicating than that which was previously manufactured? The question is hard to answer.

Various substitutes for the above amendment were offered, but finally a vote was obtained on November 18, 1918, upon the following, which has come to be known as the War Time Prohibition Bill:

Be it enacted that after June 30, 1919, until the conclusion of the present war, and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States, for the purpose of conserving the man-power of the nation, and to increase efficiency in the production of arms, munitions, ships, food and clothing for

¹ From Hearings Before the Committee on Agriculture and Forestry, U. S. Senate, Sixty-fifth Congress, Second Session, on H. R. 11945, page 4.

the army and navy, it shall be unlawful to sell for beverage purposes any distilled spirits, and during said time no distilled spirits held in bond shall be removed therefrom for beverage purposes except for export.

After May 1, 1919, until the conclusion of the present war, and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States, no grains, cereals, fruit or other food products shall be used in the manufacture or production of beer, wine or other intoxicating malt or vinous liquor for beverage purposes.

After June 30, 1919, until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States, no beer, wine or other intoxicating malt or vinous liquor shall be sold for beverage purposes, except for export. The Commissioner of Internal Revenue is hereby authorized and directed to prescribe rules and regulations, subject to the approval of the Secretary of the Treasury, in regard to the manufacture and sale of distilled liquors and the removal of distilled spirits held in bond after June 30, 1919, until this act shall cease to operate, for other than beverage purposes; also in regard to the manufacture, sale and distribution of wine for sacramental, medicinal or other beverage uses.

After the approval of this act no distilled malt, vinous or other intoxicating liquors shall be imported into the United States during the continuance of the present war and period of demobilization.

Any person who violates any of the foregoing provisions shall be punished by imprisonment not exceeding one year, or by fine not exceeding \$1,000, or by both such imprisonment and fine.

Provided, that the President of the United States be and hereby is authorized and empowered, at any time after the passage of this act, to establish zones of such size as he may deem advisable about coal mines, munition factories, ship building plants and such other plants for war material as may seem to him to require such action whenever in his opinion the creation of such zones is necessary to or advisable in the proper prosecution of the war, and that he is hereby authorized and empowered to prohibit the sale, manufacture or distribution of intoxicating liquors in such zones, and that any violation of the President's regulations in this regard shall be punished by imprisonment for not more than one year, or by a fine of not more than \$1,000, or by both such fine and imprisonment.

Provided further, that nothing in this act shall be construed to interfere with the power conferred upon the President by Section 15, of the food control act, approved August 10, 1917.

This act received the President's signature on November 21, 1918, and became a law.

CHAPTER IX

The Agitation for Permanent Prohibition

Entirely apart from the measures for the elimination of drunkenness in the army and navy, and the conservation of food materials, the question of nationwide prohibition as a moral issue continued to be agitated. This agitation had been growing in strength for several years before the war, but it took on a new emphasis as soon as war was declared.

Shortly before the declaration of war, a very significant act had been passed for the protection of dry territory. This act, dated March 3, 1917, excluded from the mails all journals carrying advertisements of liquor into dry territory.

The *Official Bulletin* for June 2, 1917, publishes the following regarding this law, and the ruling of the Post Office Department regarding it:

The Post Office Department has issued a bulletin showing the States in whole or in part to which it is unlawful, on and after July 1 next, to address mail matter containing either advertisements or solicitations for orders for intoxicating liquors.

The bulletin is issued under Section 5 of the act of Congress approved March 3, 1917, which provides "that no letter, postal card, circular, newspaper, pamphlet, or publication of any kind" containing either advertisements or solicitations for such orders "shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier" when addressed to "any place or point in any State or Territory" in which it is by the local law forbidden to advertise or to solicit orders for liquor.

The department construes the act as barring from the mails matter of the character described when addressed to States or political subdivisions thereof in which it is forbidden either to advertise or to solicit orders.

The issuance of the preliminary bulletin was decided upon in view of the large number of requests by newspapers and publishers throughout the country who are clamoring for information as to the territory from which the prohibited advertisements and solicitations will be barred.

The bulletin follows:

LIQUOR BULLETIN, No. 1

May 14, 1917.

Section 5 of the act of Congress approved March 3, 1917, effective July 1, 1917, is as follows: "That no letter, postal card, circular, newspaper, pamphlet, or publication of any kind containing any advertisement of spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind, or containing a solicitation of an order or orders for said liquors, or any of them, shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier, when addressed or directed to any person, firm, corporation, or association, or other addressee, at any place or point in any State or Territory of the United States at which it is by the law in force in the State or Territory at that time unlawful to advertise or solicit orders for such liquors, or any of them, respectively.

"If the publisher of any newspaper or other publication or the agent of such publisher, or if any dealer in such liquors, or his agent, shall knowingly deposit or cause to be deposited, or shall knowingly send or cause to be sent, anything to be conveyed or delivered by mail in violation of the provisions of this section, or shall knowingly deliver or cause to be delivered by mail anything herein forbidden to be carried by mail, shall be fined not more than \$1,000 or imprisoned not more than six months or both; and for any subsequent offense shall be imprisoned not more than one year. Any person violating any provision of this section may be tried and punished, either in the district in which the unlawful matter or publication was mailed or to which it was carried by mail for delivery, according to direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed. Whoever shall order, purchase, or cause intoxicating liquors to be transported in interstate commerce, except for scientific, sacramental, medicinal, and mechanical purposes, into any State or Territory the laws of which State or Territory prohibit the manufacture or sale therein of intoxicating liquors for beverage purposes shall be punished as aforesaid; *Provided*, That nothing herein shall authorize the shipment of liquor into any State contrary to the laws of such State; *Provided further*, That the Postmaster General is hereby authorized and directed to make public from time to time in suitable bulletins or public notices the names of States in which it is unlawful to advertise or solicit orders for such liquors."

Later, on June 30, it published the following:

The Post Office Department today (June 27) issued Liquor Bulletin, No. 2, a 34-page booklet showing the territory to which it will be unlawful, on and after July 1, next, . . . to transmit through the mails matter containing advertisements or solicitations for orders for intoxicating liquor. . . .

Twenty-three States are wholly affected by the act, and matter containing either advertisements or solicitations for orders for intoxicating liquor will be unmailable . . . when addressed to any of the following: Alabama.

Arizona, Arkansas, Colorado, Georgia, Idaho, Iowa, Kansas, Maine, Mississippi, Nebraska, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, Washington, and West Virginia.

The following States are partially affected by the act California, Connecticut, Delaware, Louisiana, Maryland, Massachusetts, Minnesota, New Hampshire, New York, Ohio, and Texas.

The following are affected by the federal act at future dates, as follows: Alaska, January 1, 1918; Indiana, April 3, 1918; Michigan, April 30, 1918; Montana, December 31, 1918, and Utah, August 1, 1917.

The following are not affected by the federal act: District of Columbia, Florida, Guam, Hawaii, Illinois, Wisconsin, Kentucky, Porto Rico, Missouri, Nevada, New Jersey, Pennsylvania, and Wyoming.

Ethyl-alcohol is regarded as an intoxicating liquor within the meaning of the act, but methyl-alcohol, wood alcohol, and denatured alcohol are not so regarded.

Most significant of all, however, was the proposed prohibition amendment to the Constitution of the United States. This was introduced as a joint resolution in August, 1917, at the first session of the Sixty-fifth Congress, and reintroduced, with minor changes, in December, at the second session of the same Congress, and rather promptly adopted on December 28, somewhat to the surprise, probably, of some of its supporters.

The following is a copy:

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Resolved, By the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

Article —

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes, is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been rati-

fied as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

By February 25, 1919, forty-five States had ratified the above amendment, the only States failing to ratify being Rhode Island, New Jersey and Connecticut. The order in which they ratified was as follows:

1. Mississippi	January 3, 1918
2. Virginia	January 10, 1918
3. Kentucky	January 14, 1918
4. South Carolina	January 23, 1918
5. North Dakota	January 25, 1918
6. Maryland	February 13, 1918
7. Montana	February 19, 1918
8. Texas	March 4, 1918
9. Delaware	March 18, 1918
10. South Dakota	March 20, 1918
11. Massachusetts	April 2, 1918
12. Arizona	May 24, 1918
13. Georgia	June 26, 1918
14. Louisiana	August 8, 1918
15. Florida	November 27, 1918
16. Michigan	January 2, 1919
17. Ohio	January 7, 1919
18. Oklahoma	January 7, 1919
19. Maine	January 8, 1919
20. Idaho	January 8, 1919
21. West Virginia	January 9, 1919
22. Washington	January 13, 1919
23. Tennessee	January 13, 1919
24. California	January 13, 1919
25. Indiana	January 14, 1919
26. Arkansas	January 14, 1919
27. Illinois	January 14, 1919
28. North Carolina	January 14, 1919
29. Kansas	January 14, 1919
30. Alabama	January 14, 1919
31. Iowa	January 15, 1919
32. Colorado	January 15, 1919
33. Oregon	January 15, 1919
34. New Hampshire	January 15, 1919
35. Utah	January 15, 1919
36. Nebraska	January 16, 1919
37. Missouri	January 16, 1919
38. Wyoming	January 16, 1919
39. Wisconsin	January 17, 1919
40. Minnesota	January 17, 1919
41. New Mexico	January 20, 1919
42. Nevada	January 21, 1919
43. Vermont	January 29, 1919
44. New York	January 29, 1919
45. Pennsylvania	February 25, 1919

It is doubtful if its most optimistic supporters expected such an overwhelming victory. Various efforts are being made to nullify the amendment, or to make it inoperative. To what extent these efforts will succeed remains to be seen.

State prohibition is not definitely connected with liquor control in war time, nevertheless it is significant that more than three-fourths of the States that adopted prohibition as a State law did so after the European war began, and nearly half of them adopted it after we entered the war. It seems likely that the war had accelerated the movement. The following is a list of the States that have adopted prohibition as a State law, with the dates of its going into effect:

Maine (Constitutional)	1851
Kansas (Constitutional)	1880
North Dakota (Constitutional)	1880
Oklahoma (Constitutional)	1907
Georgia (Statutory)	1908
North Carolina (Statutory)	1909
Mississippi (Statutory)	1909
Tennessee (Statutory)	1909
West Virginia (Constitutional)	1914
Alabama (Statutory)	1915
Arizona (Constitutional)	1915
Virginia (Statutory)	1916
Colorado (Constitutional)	1916
Oregon (Constitutional)	1916
Washington (Statutory)	1916
Arkansas (Statutory)	1916
Iowa (Statutory)	1916
Idaho (Constitutional)	1916
South Carolina (Statutory)	1916
Nebraska (Constitutional)	1917
South Dakota (Constitutional)	1917
District of Columbia (Statutory)	1917
Alaska (Statutory)	1918
Indiana (Statutory)	1918
Michigan (Constitutional)	1918
New Hampshire (Statutory)	1918
Montana (Constitutional)	1918
New Mexico (Constitutional)	1918
Texas (Statutory)	1918
Florida (Constitutional)	1919
Utah (Constitutional)	1919
Ohio (Constitutional)	1919
Nevada (Statutory)	1919
Wyoming (Constitutional)	1920
Delaware (Statutory)	1920

CHAPTER X

Conclusion

As to the results of the measures thus far taken, there is very little to be said. The author has found no difference of opinion as to the wisdom and effectiveness of the rules for the prevention of drunkenness among the men in uniform. Never in the history of the world, probably, has there been the spectacle presented by our military training camps and cantonments, our navy yards, radio schools, and naval training stations. The common expectation is, and always has been, that the gathering together of vast numbers of young men, in the most volcanic period of their lives, under highly abnormal conditions, will produce a great deal of drunkenness and general turbulence immediately outside the areas within which severe discipline is enforced. In the present case, however, this expectation not only has not been realized, but the reverse has been true. There is probably no city or town in the country containing a civilian population as large as the military population of any of our cantonments, which does not show more drunkenness and turbulence than can be found in the neighborhood of these cantonments. If we compare the general orderliness and behavior of these young men in uniform with that of the young men of our colleges and universities in peace time, the contrast in favor of the men in uniform is most glaring. The universal testimony is that there is less drunkenness, rowdyism and general turbulence among our soldiers and sailors than among college men who are not similarly protected from the evil of drink.

This has not been the case in any previous war, except in isolated cases where a commanding officer has, on his own initiative, protected his men from drink. There is no evidence to show that the volcanic nature of our young men has calmed down, or that lawlessness, rowdyism and turbulence have dimin-

ished in the slightest degree in our general population. The only explanation of the remarkable sobriety of our soldiers and sailors is that it is due to the fact that they are safeguarded against drink.

No such improvement, however, is yet visible among our civilian population. The problem here is complicated by a number of unusual conditions. The gathering together of considerable numbers of men in the neighborhood of shipyards, munition plants and centers for the manufacture of other war supplies, most of whom are not under discipline, the fact that most of these men are receiving higher wages than they ever received before, might be expected to increase drunkenness somewhat. This expectation has been realized except where the men have been safeguarded by local rules and regulations against drink.

As to the conservation of food materials, the results are rather definite. The prohibition of the manufacture of distilled spirits for beverage purposes put a stop to all wastage of food materials for that purpose. How great that saving was can only be estimated on the basis of the table on page 167 (Part II, Chapter VIII). Something over 39,000,000 bushels of grain and 152,000,000 gallons of molasses had been used in the year ended June 30, 1916. This does not show how much of this was for beverage purposes. Aside from molasses, the principal item is corn, with barley and rye as the only minor grains used in quantities worth mentioning.

The proclamation of the President reducing the amount of food material which could be used in brewing to 70 per cent of the prewar figure, is a little more definite. On the basis of the figures for 1916, this would effect a saving of 20,631,957 bushels of grain and over 30,000,000 pounds of other materials, mainly grape sugar and glucose. This calculation is a mere matter of arithmetic and needs no discussion.

As to the comparative merits of the English and the American methods of dealing with the question of drunkenness among civilians in war time—that is, with the dispensary system as

compared with prohibition—it is too early to pronounce judgment on the basis of recorded fact. The case seems reasonably clear so far as the military and naval forces are concerned. The prompt and decisive manner in which Congress and the higher administrative officials dealt with that question compared with the tentative and half-hearted way in which the English government acted, leaves no room for doubt. The effects of prohibition of sale to the American troops is beyond all comparison superior to those mild restrictions upon drinking by the British troops.

Judging by the discussions, the dispensary system in England was not wholly a temperance measure. One very large and influential group of English politicians is less interested in temperance and sobriety than they are in government enterprise and ownership. To get the government to take over the manufacture and dispensing of drink is to them a distinct gain, whatever its effect upon drunkenness or food conservation. On the other hand, the food shortage in England necessitated more drastic action in the direction of food conservation than we have had forced upon us. Both countries have prohibited the manufacture of distilled spirits for beverage purposes. Whereas we have reduced by 30 per cent the amount of food materials which may be used in the manufacture of malt liquors, England has reduced it by 66 per cent. This stoppage of the distillation of distilled spirits in England, and the drastic reduction in the production of beer, might have been expected to reduce drunkenness considerably even without the efforts of the Central Control Board (Liquor Traffic). One is therefore scarcely justified in attributing to the dispensary system all the credit for the reduction in the amount of drunkenness.

With us, until nationwide prohibition is put into effect, or something else is substituted for it, we shall have made no serious attempt to control drunkenness among our civilian population beyond what was done before we entered upon the war. Therefore, we have nothing very definite to discuss in the way of results.

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